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THE

ANNUAL REGISTER,

OR A VIEW OF THE

HISTORY,

AND

POLITICS,

OF THE YEAR

1840.

LONDON:

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THE

ANNUAL REGISTER,

FOR THE YEAR

1840.

HISTORY OF EUROPE.

CHAPTER I.

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THE parliament was opened by her majesty in person, on the 16th of January, and the speech from the throne, which is in general too common-place a matter to create any great sensation, was rendered more interesting than usual, in consequence of the expected announcement of the royal marriage, which had, of course, been previously declared to the privy council. The first two paragraphs of her majesty's speech were as follows:

"My lords and gentlemen.—Since you have last assembled, I have declared my intention of allying myself in marriage with the prince of Saxe Cobourg and Gotha. I humbly implore that the divine blessing may prosper this union, and render it conducive to the in-

terests of my people, as well as my own domestic happiness; and it will be to me a source of the most lively satisfaction to find the resolution I have taken approved of by my parliament.

"The constant proofs I have received of your attachment to my person and family, persuade me that you will enable me to provide for such an establishment as may appear suitable to the rank of the prince, and the dignity of the crown."

The other topics alluded to in the royal speech were indeed sufficiently important in themselves, but were treated in the vague and undefined terms to which we have been so long accustomed on similar occasions. Her majesty continued to receive from foreign powers assurances of their unabated desire to maintain with her majesty the most friendly relations. Her majesty also congratulated the parliament on the satisfactory termination of the civil war which had so long desolated the northern provinces of Spain, and expressed a hope that the cordial endeavours of the five powers to arrange the affairs of the Levant would finally succeed in preserving the integrity of the Ottoman empire, and the peace of Europe. A confident hope of adjusting our differences with the court of Persia was also declared by her majesty, who had likewise given the most serious attention to the breach in our commercial intercourse with China. The success of the European and native troops in India, in the expedition to the westward of the Indus, was a subject of great satisfaction.

Her majesty recommended to the early consideration of the parliament two measures of importance, relating to our home policy, the state of the municipal corporations in Ireland, and the measures suggested by the ecclesiastical commissioners, with respect to the church establishment in this country.

The speech concluded with some remarks on the unfortunate spirit of insubordination, which had exhibited itself in some of the manufacturing districts, and which had been speedily repressed by the firmness and energy of the magistrates, and the steadiness and good conduct of the troops.

The duke of Somerset, in moving the address, which it is unnecessary to say was a mere echo of the speech, expressed his lively satisfaction at the first paragraph, announcing the royal marriage, which he thought, from the previous connection of the families of the illustrious personages seemed to presage a union happy in itself, and beneficial to the country at large.

Lord Seaford, the seconder of the address, thought that her majesty, from her early and intimate acquaintance with the prince, must have had the opportunity of forming a mature judgment of his character and disposition, and that a choice thus determined by the joint influence of reason, and of feeling, must form the foundation of a happy union. He sincerely hoped, that on such an occasion the most entire unanimity with regard to the address would be found to prevail, in fact the speech had been studiously framed, so as to avoid exciting any discordant feelings or hostile discussions. For example, with regard to Spain, whatever might be the opinions of some noble lords, with regard to the pretensions of Don Carlos, there could be but one common sentiment of rejoicing

among men of all parties, that the barbarous and sanguinary warfare which had so long raged in the Pyrenees, had been at length brought to a conclusion. He did not pretend to sufficient knowledge of the complicated political interests of our Indian empire, to enable him to appreciate the views of the governor-general in undertaking that great enterprise; but if he had been at first startled at the hardihood of the undertaking, he only felt the more disposed now to admire the sagacity that had been able to measure the extent of the difficulties, and provide the means for obtaining so complete and apparently so easy a triumph over them.

The duke of Wellington warmly concurred in the expression of congratulation to her majesty, upon the alliance which had been announced to the country. He had the honour of being summoned to attend her majesty in privy council when this important speech had been first made known. He had heard, that the precedent of the reign of George the 3rd had been in all respects followed except one, and that was the declaration that this prince was a Protestant. He was sure he was a Protestant, he knew he was of a Protestant family. But this was a Protestant state, and although there was no doubt about the matter, the precedent of George the 3rd should have been followed throughout; and the fact that the prince was a Protestant should have been officially declared. The House of Lords could not then omit this, their first opportunity of declaring their opinion in such terms as should leave the public in no doubt of the prince chosen by her majesty being a Protestant prince. George the 3rd had, according to the noble duke, declared to the privy council, that the princess he was about to espouse was a Protestant; but he was married to her before parliament met, and the circumstance of the princess being a Protestant was not again mentioned in the speech from the throne, although in the address from the House of Commons an amendment was moved, by which the word Protestant was inserted; and the address so amended was presented to his majesty. In conclusion the noble duke moved the insertion of the word Protestant before the word prince in the first paragraph of the address.

Lord Melbourne had hoped, from the spirit of forbearance which pervaded the duke's speech, that the unanimous feeling of the house would have been undisturbed. He, for his part, considered the amendment proposed as altogether superfluous. The act of settlement required that the prince should be a Protestant, and it was not likely that the ministers would advise her majesty to break through the act of settlement. The precedent which the noble duke had endeavoured to establish, was not a case in point, for George the 3rd did not declare to his privy council that the princess Charlotte of Mecklenburgh Strelitz was a Protestant, but only that she was descended from a long line of Protestant ancestors. All the world knew that the prince Albert of Saxe Cobourg was a Protestant, and that he was descended from the most emphatically Protestant house in Europe. To the eldest branch of his family the Protestant religion owed its existence; and the elector of Saxony lost his throne for his ad-

herence to the Protestant cause. The prince would not be more or less a Protestant because the house declared him so; and he, lord Melbourne, thought the amendment perfectly immaterial and unnecessary.

Lord Winchilsea, as might be expected, from his wellknown zeal on behalf of the Protestant cause, both in and out of parliament differed very widely from lord Melbourne in thinking the insertion of the word Protestant unnecessary. He admitted, that at the time referred to, the family of the prince was decidedly Protestant; but changes had taken place, which called imperiously for the insertion of that word. Near and dear connections of that family had become Roman Catholics; and the husband of the queen of Portugal, a first cousin of this very prince was an avowed one. The noble lord, in the close of his observations, adverted to the alarming state of the country, and the presentation of Mr. Owen to her majesty by lord Melbourne. Mr. Owen being the notorious advocate of doctrines which struck at the root of all religion and morality.

After a few remarks from lord Fitzwilliam, who felt quite indifferent as to the amendment, lord Brougham rose and made a speech of a very different character from the preceding debate, He painted in a striking manner the condition of the distressed population torn, as he described them, by factions, divided by mutual animosities and full of discontent, with falling wages, rising prices, and diminished profits. He indignantly passed over the other topics connected with the royal marriage, and the discussion relative to the word Protestant as unworthy of engaging the attention of the House, while the people of this country were in the deplorable condition which he had described. The subject, said lord Brougham, respecting the differences between Catholics and Protestants is forced upon me. I mean the state of Ireland—I am firmly persuaded, and it is one of the most settled convictions of my mind which every day's experience and observation strengthen more and more, that to apply the axe to the root of the evils that afflict that country, to take away that influence which with safety to the state cannot be allowed to remain—to lay the foundations broad and deep of lasting tranquillity to the Irish people, to consult the best interests of the state and of the church, the one thing needful is—and it is the duty of the lawgiver to discover how it best can be given, that one thing needful is on just, moderate, well-considered principles, and with well-contrived machinery, to give a due but fixed legal provision to the clergy, who administer to the spiritual wants of the Irish people." His lordship then proceeded to say, that, however much he rejoiced to hear of the success of the British forces in India, he thought it remained to be shown that the policy of lord Auckland was commendable in acting hostilely towards Persia, and resting on the Affghanistan alliance, whereas the best-instructed statesmen had always looked to Persia as a defence against invasion from the north and from the Affghans themselves. Neither did he seem to think the East India Company, with a reduced income and diminished resources in the best condition for incurring such enormous expenses. Reverting

again back to the alarming and discontented state of the provinces, lord Brougham ascribed a great part of the mischief to a change which had taken place in the disposition of the people towards their political leaders.

"I do not mean to say, "continued his lordship," that as relates to this or that borough, these or those corporations, this or that magistrate, anything new had taken place, no doubt those who preside over the Home Department, if they be content with the assurances of self-important and complacent corporations will receive abundance of such assurances, but throughout the country with the exception of a few cases where natural influence still survives, the masses of the people are in all but rebellion, not rebellion against those that govern, not taking part with one or another faction in Parliament, not anxious for the removal of one ministry and the placing of another, but marshalled in distrust and hostility, combined and banded in a deep-rooted and habitual distrust of all politicians, of all ministers, and of all men in power. My lords, I am far from thinking it is a wholesome state for a people to be in, not to think for themselves, and to have others make their opinions for them. On the contrary, I hold it to be no exaggeration of Dean Swift, to pronounce party the madness of the many for the gain of a few." But it is the most consistent sound and rational result of the proper, and legitimate fruit of the people thinking calmly and soberly for themselves, that they should act under their natural leaders, and know in whom they could confide. Else they act without concert, wildly, without obtaining any direct influence or accomplishing any useful purpose. Besides, it does not at all follow, that acting under obscure leaders, or no leader at all, they may not be the dupes of designing knaves and unprincipled agitators. Such has been the case in the late proceedings in South Wales and elsewhere."

"And here I must say," continued his lordship, "that the crimes so committed, I have been astonished to find palliated as political offences. Pillage, alarm, insecurity of life and property, nay, wholesale massacre are included in the idea of civil war, and are of necessity involved in these treasonable proceedings. And this crime of treason is not the less punishable and detestable because it has for its characteristic what no other crime possesses, for whereas all other crimes are more aggravated the more successful they are, and more light in proportion as they fail. This offence is secure of impunity, if it can but accomplish the object it has in view. How then can it be asked, "Why, punish men for conspiring to subvert the state, for conspiring and compassing merely." It is obvious that if the attempt were successful, the criminal would be the ruler, and could not possibly be punished. Therefore the law justly considers it the most grievous, and heinous offence, and whatever leads to its commission not less heinous and grievous. Whoever in Yorkshire or Wales, shall assemble a meeting so numerous that no discussion can take place, shall congregate masses whose very force is sufficient to show that it is not to debate, but to break the peace that they are got together, and whoever having assembled such masses shall proceed to scatter among such combusti-

bles the flashes of seditious harangues; whoever shall teach them to look to any quarter, but to the legislature for a redress of their grievances, or an alteration in the established institutions of the country; whoever in Yorkshire or South Wales, shall hold this most seditious, he would almost say, this treasonable doctrine, that if the sovereign dare to change her counsels there would be an end of the peace of the country, and an end to the allegiance of the people, and that recourse must be had to other means,—whoever holds such language in his addresses to those meetings, is the proximate not the remote cause of the breach of the peace, that may follow, though he may withdraw himself from the combat which he may have excited, and keep himself safe from the perils into which he has cheated, duped, seduced, or driven, his followers. That person has the blood that is so shed on his head, even although he may, from some unaccountable reason, evade the penalties of the law. With regard to the offenders who have not escaped, I hope, and trust, that as justice has been administered to them on its true principles, with the utmost learning with the greatest dignity and the most patient attention; that now when it has left the hands of the judge, it may still be administered in the same merciful and humane spirit; but I must say, that if there be others who have done what I before described as the proximate cause of rebellion; it cannot but appear strange that while to one set of men the gibbet should be given, another set of men having the same guilt should receive not the gibbet but the patronage of the crown. Distinctions indeed might easily be found between the two classes of men, though hardly of a kind to explain the different treatments they have experienced. For instance, I have not heard that any of these men in Wales, have been accustomed to play alternately the part of a slanderer and a sycophant; one day pouring forth the venom of their foul defamation, and another pouring forth the more nauseous slaver of their coarse overdone fulsome and offensive praise and adulation. Another difference may be remarked between the two sets of men. You may not find among the Welshmen exhortations to raise fiery attacks on all respectable men, and all venerable institutions, incentives flung about among the combustible matter to make them kindle and blaze, followed by such admonitions as, "Pray do nothing against the public peace," "Pray be quiet and orderly however," any more than you find those same honest Welshmen, throwing oil on the flame and beseeching it not to burn, or scattering firebrands among gunpowder, and begging it not to explode.

There is another circumstance of difference which certainly does distinguish them, that, worthy of all reprobation as these Welsh and Yorkshire proceedings have been, they do not seem to have been brought about by men with any sordid end in view. They do not seem to have had a design of raising a cry in order to enable the perpetrator of the sedition also to perpetrate an inroad on the exhausted resources of his famished followers. These circumstances distinguish the one class from the other, but how far they afford a reason for the totally opposite course pursued towards the followers

of sedition in two different parts of the empire, I leave to your lordships' penetration and calm reflection to decide." Throughout the whole of these and other passages in the speech of lord Brougham, the allusion to the great Irish agitator was sufficiently pointed, and the forcible truth as well as the eloquence which pervaded it, made a deep impression on the house, and on the country. It called to mind an observation which Horace Walpole makes on one of lord Chatham's celebrated attacks on lord Mansfield, at a time when they were both members of the house of commons. Every word was "Murray" although he was never directly adverted to.

After a few remarks from lord Stanhope, the duke of Richmond, and the duke of Cambridge, the address as amended was agreed to be presented to her majesty.

Mr. Cavendish, and sir William Somerville, moved and seconded the address in the house of commons, in much the same terms as had been employed in the other house of Parliament; and sir R. Inglis, objected to the omission of the word Protestant, and also protested against any approval of the policy of this country, in the conduct of Chinese affairs. He did not, however, think proper to disturb the unanimity of the members, by moving an amendment. Sir Robert Peel, likewise concurred in the general indisposition to make that an occasion for a full discussion of the state of public affairs, although the excitement prevailing throughout the country afforded him great temptation. He felt it necessary, however, to seek explanation on one point with reference to the slave-trade as carried on by Portugal. During the past session extraordinary measures were called for by government to compel that nation to fulfil her treaties, or in case of refusal to take their fulfilment into our own hands. It would appear from a paper in the Despatch office signed by lord Howard de Walden, that the abolition of the slave-trade was made a condition *sine qua non* with the Portuguese government. But there had been recently published by that government, a correspondence which he could not reconcile with that laid before the house of commons. In it there appeared a letter from lord Howard de Walden, which the hon. baronet, read to the house, wherein the slave-trade was not designated piracy nor its abolition made a *sine quâ non*, but wherein on the contrary, it was expressly consented to, that the slave-trade should not be styled piracy. This was a mystery which in sir R. Peel's judgment required some explanation.

Lord Palmerston rose immediately to give the required information on the subject, and it appeared, that the note of Lord Howard de Walden was written at an earlier stage of the negotiations than the failure on which the measure of the last year had been proposed. The powers and authorities then granted by Parliament, were not part of the negotiations to which the papers read by Sir R. Peel referred, but were a subsequent stage of the proceedings. After a few observations from lord John Russell in reference to Canada, the address was referred to a committee. A slight discussion on the abolition of the slave-trade by the Portuguese government, took place also, in the house of lords, on the

occasion of her majesty's answer to the address being read to the house, when lord Strangford made some remarks on lord Howard de Walden's note, of which he seemed to entertain the same opinion as sir R. Peel. Her majesty replied to the addresses of both houses in much the same words, the following was the answer to the house of commons.

"I receive with very great satisfaction your loyal and affectionate address, upon an occasion so deeply affecting the happiness of my future life.

"I thank you for your support and concurrence in my resolution, and I am much gratified by the opinion which you have expressed of the prince, and which I am confident he will justify.

"I thank you for your assurance that you will concur in the measures which may be necessary to provide for such an establishment as may be suitable to the rank of the prince, and the dignity of the crown.

"I shall anxiously endeavour to make my reign conducive to the happiness of all classes of my people."

Some slight conversation took place afterwards, relative to the time and manner of proceeding with the address to the Palace.

Sir Edward Knatchbull complained that the conservative members had no notice given to them, and therefore staid away, when they would have been most anxious to have testified their loyalty by attendance.

Mr. Wakley could not, he said, discover one conservative member out of a hundred who went with the Speaker.

Mr. Bradshaw said he was there, but he did not rise to remove an imputation which was perfectly groundless.

Mr. Blackstone also stated, that he was present, and by way of retort, expressed his surprise at seeing the brother of a cabinet minister in the queen's presence, dressed in a cut-off green coat with brass buttons, although the Court were at the time in mourning for her majesty's aunt.

Lord John Russell explained, that as regarded the presentation of the address, the precedent of the last reign had been followed; at the same time, he admitted, that it would have been more convenient if a public notice had been issued of the time of proceeding to the Palace.

As the announcement of the royal nuptials was the prominent circumstance in the speech from the throne, we may as well connect with it the discussions which took place in parliament respecting the naturalization of prince Albert, and the provision to be made for him by the country.

In the house of lords on the 20th of January, the following bill intituled an act for exhibiting a bill in this present parliament, for naturalizing his serene highness prince Albert of Saxe Cobourg and Gotha was passed through all its stages, the standing orders having been suspended.

"Whereas it hath pleased her majesty, most graciously to declare her intention to ally herself in marriage with prince Albert &c., and whereas a more grateful proof of the esteem and affection of this kingdom cannot be given to his serene highness than by an act of naturalization, to make him capable of enjoying those rights and liberties which are enjoyed in this realm: And whereas by an act made in the seventh year of king James the 1st,

every person is required to receive the sacrament of the Lord's Supper within one month before any bill for naturalization be exhibited, and also to take the oaths of supremacy and allegiance in the parliament house, before his or her bill be twice read: And whereas by an act passed in the first year of king George the 1st, it was enacted, that no person shall be naturalized unless in the bill exhibited for that purpose, a proper clause be inserted, to declare, that such person shall not thereby be enabled to be of the privy council, or member of either house of parliament—or to take any office or place of trust, civil or military, or to have any grant of lands, tenements, or hereditaments from the crown, to himself, or any person in trust for him: And that no bill shall thenceforth be received in either house of parliament, unless such clause or words be first inserted or contained therein: And whereas by an act passed in the sixth year of the reign of king George the 4th, after reciting the said act of the seventh of king James the 1st, it was enacted, that from and after the passing of the act, it should not thenceforth be necessary for any person who is to be naturalized, to receive the sacrament of the Lord's Supper, as directed by the said recited act:

"Be it enacted, by the queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that a bill for the naturalization of his serene highness the prince Albert of Saxe Cobourg and Gotha, without the clause in the said recited act of the first year of the reign of king George the 1st, to be inserted, and without his taking the oaths by the first recited act required, shall, and may be exhibited, and brought into this parliament, and twice read, the said recited acts, or any other law, statute, matter, or thing, whatsoever to the contrary, notwithstanding."

This bill was taken to the house of commons the next day and read three times, and passed during the week without creating any discussion; but on the second reading in the house of lords, the duke of Wellington objected that it was not merely an act for the naturalization of prince Albert, but contained also a clause entitling the prince "for and during the term of his natural life, to take precedence in rank after her majesty in parliament, and elsewhere, as her majesty may think fit and proper, any law, statute, or custom, to the contrary notwithstanding." Under these circumstances, the noble duke moved that the debate be adjourned, as the house had not had sufficient notice of the contents of the bill, as the title of it did not state anything respecting the precedence of the prince.

Lord Melbourne said, the omission was purely accidental, and in his opinion of no importance, at the same time, he admitted, that this bill did differ in form from other bills, inasmuch as it gave her majesty an ability to bestow on prince Albert a higher station than that assigned to prince George of Denmark, or prince Leopold. The reason for the difference in these cases, was to be looked for in the relative situation of the parties. With regard to the marriage of the princess Charlotte, the arrangement then made was entirely temporary. With regard to the mode

in which the power about to be conferred by this act would be exercised, lord Melbourne said it was intended to raise the prince to a station next to that of the queen, and that no opposition had been offered to this course by those peculiarly interested in point of rank.

It was suggested by lord Brougham, that according to the proposed arrangement, if the queen should pay the debt of nature before any issue of the marriage should be born, the king of Hanover would reign in this country and his son would be prince of Wales, while prince Albert would be placed in the anomalous position of a foreign naturalized prince, the husband of a deceased queen, with a higher rank than the prince of Wales.

After a few observations from lord Londonderry, who decidedly objected to giving a foreign prince precedence over the blood royal, the debate was adjourned until the following week, when the lord Chancellor stated, that he should propose, that power be given to the crown to allow the prince to take precedence next after any heir apparent to the throne. Subsequently, however, lord Melburne, in rising to move the committal of the bill, expressed himself so anxious that it should pass with all possible expedition, and without any prolonged discussion, that he had determined to leave out all relating to the precedence of the prince, and reduce it to a single naturalization bill, such as its title professed it to be. In that shape the measure was accordingly passed without any further opposition.

The question of prince Albert's annuity created a great deal more interest and debate in the house of commons. On the 24th of January, after moving, that the paragraph in the queen's speech relating to this subject should be read, lord John Russell commenced by quoting as precedents for the grant he was about to propose, the instances of prince George of Denmark, prince Leopold, and queen Adelaide. When queen Anne came to the throne, the general expense of the peace establishment being then about 2,000,000*l.*, a sum of 700,000*l.* was appropriated to the queen, out of which 100,000*l.* a year was devoted by her to the expenses of prince George, there was at that time no special provision made for the prince, but in 1702, the queen's warrant was passed granting to him the sum of 50,000*l.* a-year, one moiety of which was to be paid out of the excise, and the other moiety out of the receipts of the Post-office. Prince Leopold married the heiress presumptive to the throne; there was no certainty the princess would ever succeed to be the queen of this country, even if she lived to survive her father. A sum of 60,000*l.* a-year was granted for the princess Charlotte and prince Leopold, and 50,000*l.* a-year of that sum was afterwards settled on prince Leopold during his life. In 1831, continued lord John Russell, a select committee upon the civil list was appointed, and on their recommendation, 110,000*l.* was allotted by parliament to the privy purse of their majesties king William and queen Adelaide; of which, 60,000*l.* was for his majesty's privy purse, and 50,000*l.* for that of the queen.

In order, however, to institute a fair comparison, it would be neces-

sary to refer to one or two changes which had taken place. On the accession of her present majesty, the sum of 75,000*l.* a-year allowed for pensions, was reduced to 1200*l.* a-year, and the whole expense of pensions was stated by the Chancellor of the Exchequer at 35,000*l.* a-year. In the next place, 10,000*l.* a-year for secret service which had been previously charged in the civil list was, under the new arrangement made upon her majesty's accession, transferred to the consolidated fund. It appeared, moreover, that the civil list of William and Adelaide amounted to 435,000*l.*; and that the civil list of her present majesty was limited to 385,000*l.*, being the difference of the 50,000*l.* previously allotted to the privy purse of queen Adelaide.

As far therefore as he could judge by precedent in these matters, it would appear, that 50,000*l.* per annum was the sum that had been allotted to princes in the situation of prince Albert and to the queen's consort in this country. In the cases of prince George of Denmark and queen Caroline, the consort of George the 2nd, 100,000*l.* a year was settled by parliament upon each, in the event of their surviving the sovereign. The princess dowager of Wales, the mother of George the 3rd, had an annuity for life of 50,000*l.* Queen Charlotte the consort of George the 3rd, had a dower of 100,000*l.* a-year settled on her in case she should survive his majesty, and a similar dower was voted to queen Adelaide. Lord John Russell concluded by moving "that her majesty be enabled to grant an annual sum not exceeding 50,000*l.* out of the consolidated fund for a provision to prince Albert, to commence on the day of his marriage with her majesty, and to continue during his life."

The debate being adjourned for a few days, an amendment was moved by Mr. Hume according to a notice which he had previously given, to the effect that 21,000*l.* be voted annually to prince Albert instead of 50,000*l.* In Mr. Hume's opinion, no grant whatever should be made to the prince during the lifetime of her majesty, but he found an almost unanimous wish among those with whom he had conversed, that some grant or other should be made, and he had yielded therefore to the general wish rather than to his own convictions in the proposal he was about to make. In the first place, where was the necessity for such a sum of money—what was to be done with it? The only expenditure the noble lord could make out was an establishment for the prince of 7,000*l.* or 8,000*l.* a-year. The noble lord must know the danger of setting a young man down in London with so much money in his pockets. (*Laughter.*) The hon. member went to show the inability of the country to meet so great an additional expence without imposing severe burthens on the people, and he indulged in his usual strain of invective against the profusion and extravagance of the court. According to Mr. Hume, who entered minutely into a detailed examination of the sums respectively granted to the different members of the royal family, they amounted to 62,000*l.* a-year more during the present reign than during that of king William IV. Besides, if they had 50,000*l.* to spend, how many better ways there were of disposing of it. Strong contrasts had been drawn between the grant of

30,000*l.* for education and 70,000*l.* for the royal stables This had been a prominent topic at all the meetings of the lower classes. 50,000*l.* a-year would establish schools and museums and libraries in many of the large towns, and promote the improvement of the people.

The chancellor of the exchequer replied to the member for Kilkenny, and maintained, that in the case of prince George of Denmark the most analogous case to the present, the grant had been 50,000*l.* a-year, and the precedents of all the queen's consorts were in favour of such a sum as that proposed by lord John Russell. Several members spoke in opposition to the grant, some supporting Mr. Hume's amendment, and others an amendment proposed by colonel Sibthorp, that 30,000*l.* should be the extent of the annuity. Sir Robert Inglis alone of his party expressed himself in favour of the ministerial proposition. Mr. Goulburn, who chose the medium course, was strongly of opinion that, if they gave an amount equal to the double civil list of king William IV. and queen Adelaide, it would be all that either justice or liberality could require of them. The civil list of William IV. was fixed at 510,000*l.*, from which 75,000*l.* pension money, and 10,000*l.* secret service money were to be deducted, leaving 425,000*l.* as the sum available for the double civil list of king William and queen Adelaide. The grant already made for the civil list of her present majesty was 385,000*l.*, and if they were to give 50,000*l.* in addition to the separate use of prince Albert, it would amount to the sum of 435,000*l.* So far, therefore, there was a positive excess of 10,000*l.*, and a further sum of 10,000*l.* was gained by her present majesty from the diminution which had taken place in the charges on the civil list; for, in consequence of the recommendation of a committee which had been appointed on this subject, lord Monteagle, the chancellor of the exchequer of that day, had effected a reduction to the extent of 10,000*l.* in the salaries of the great officers of state. The public had a right to receive the benefit of this reduction, and if not, he might truly say, that the government were about to confer on her majesty, queen Victoria, 20,000*l.* a-year more than the civil list granted to William IV. and queen Adelaide. Under these circumstances Mr. Goulburn felt bound to vote for colonel Sibthorp's amendment, although he had the highest respect for her majesty and the illustrious prince, and was most anxious to contribute with due regard to the principles of liberality and justice to the splendour, comfort, and dignity of the crown. The house then divided on Mr. Hume's amendment — Ayes 38; Noes 305: Majority against the amendment 267.

Colonel Sibthorp rose afterwards to move the amendment of which he had given notice, and lord John Russell went over again the same ground which he had before taken, and he also stated, that he was so convinced of the propriety of the proposed grant, that he had no doubt, had not an accident last year prevented the gentlemen opposite from getting into power, they would themselves have proposed the same provision for the prince. "I certainly am bound," continued his lordship, "to give every credit to the noble lord (lord Elliot), who at the same time that

he supported reduction made great professions of respect for her majesty, and of anxiety for her majesty's domestic comfort; and I only wish that such language had not been confined to him or to the speeches of this night, but had been general among those who maintain the same opinion with himself, and that it had not been reserved for the beginning of the session, but had been continued ever since parliament separated last year. I feel bound to say this because the noble lord, in supporting the reduction, said he was doing so with every respect for her majesty. And when professions of extraordinary respect are made, I cannot forget that no sovereign of this country has been insulted in such a manner as her present majesty has been."

Lord Eliot and sir James Graham rose immediately to protest against this insinuation, as in all respects most uncalled for and unjustifiable. Indeed, the latter expressed in the strongest terms his indignation that the noble lord should insinuate that he and his party in voting for the smaller sum were influenced by any want of respect for their sovereign. He felt for his part the greatest respect for her majesty, but he also felt that he had been sent to that house as the representative of the people. He considered it a large and generous disposition of the public money, to give to prince Albert 30,000*l.* for his establishment, which was 9,000*l.* a-year more than was enjoyed by the royal family in a direct line of succession to the throne. Perhaps in the critical times in which they lived their loyalty might be brought to the test, and something better than words might be necessary, and then the noble lord would see that the party with whom he (sir J. Graham) had the honor to act, had not forgotten their duty to their sovereign.

Mr. Leader was opposed to any grant whatever, but voted for the amendment as the least evil of the two. He did not think the precedents quoted were at all in point, because the state of the country had been so much changed since the periods adverted to, that for one man that could read and write and consider politics, and condemn such a grant as this in the reign of queen Anne, there were a hundred thousand at the present time. The house should look to the effect of this proceeding out of doors, and he was afraid that people would say that there was economy in the cottage, and extravagance in the palace; that they were very economical in their management of union poorhouses, but very extravagant when they had to make a grant for the palace. Mr. O'Connell, who had already identified himself so completely with the government during the preceding session, did not desert them on this occasion, but stated that this was the first occasion on which he had ever voted for a larger sum in preference to a smaller.

With the exception of sir R. Inglis, who at an early period of the debate had intimated his intention of supporting the ministers, all the conservative members who addressed the house were in favor of colonel Sibthorp's amendment. Sir R. Peel would not have risen at all had it not been for the intimation of the noble lord (lord John Russell), which he stigmatised as being most unnecessarily and unjustly introduced, and contrary to all parliamentary rules and principles, and wholly unworthy of the

situation which the noble lord occupied as a minister of the crown and leader of the house of commons. It would have been base indeed in him (sir R. Peel) to have been influenced by the events of last May, but it would also have been equally base and cowardly to have shrunk from the performance of his duty, from the fear lest such a notice should be imputed to him. He did not give his vote for the smaller sum on account of the temporary distress that prevailed, nor because financial difficulties were felt, for he did not believe the country was unable to make a proper allowance for the consort of the sovereign. He abstained from all such invidious topics. He felt that he might, by his vote, give temporary displeasure, but he was conscious that he only consulted the permanent interests of the crown, in saving it from the unpopularity which would attend such an extravagant vote. Sir R. Peel entered into the different cases which had been quoted as precedents in point. There was no analogy between the present case and that of queen Adelaide, the queen consort, and the course proposed to be taken was quite a different one. The sum voted to queen Adelaide was 50,000*l.* a-year for life, and 100,000*l.* a-year after the demise of her husband. With respect to prince George of Denmark, nothing was voted to him during the lifetime of the queen but 100,000*l.* in case of survivorship. Now 30,000*l.* to prince Albert for life was far more than 100,000*l.* payable in the event of his surviving her majesty. Prince Leopold and the princess Charlotte had 60,000*l.* a-year for the maintenance of their whole establishment, and 50,000*l.* to the prince if he should be the survivor. Could any man deny, that the universal opinion of the country was, that that grant was too great. And in point of fact, prince Leopold practically proved it by his relinquishment, his liberal, generous, handsome relinquishment of a considerable portion of his income. "I will not," continued the right hon. baronet, "condescend to rebut the charge of want of loyalty and respect; I have no compunctions of conscience on that ground—I never made a concurrence of political sentiments on the part of the sovereign a condition of my loyalty —I have never been otherwise than respectful towards my sovereign; not one word, not one breath of disloyalty to the crown or any members of the royal family, however adverse their political sentiments were to mine, has ever escaped my lips, and in the performance of my duty to this house, and to the crown, I should deem myself unworthy of the position which I hold—of my station as a member of the house of commons if I hesitated to take a straightforward course without needless professions of loyalty, or without a defence against accusations which I believe to be utterly unfounded."

The house then divided on the amendment, when there appeared, Ayes 262; Noes 158; and a consequent majority of 104 in favour of the grant of 30,000*l.* This was, without doubt, a remarkable triumph to obtain over the ministers, and plainly showed by what an uncertain tenure they held their situations. Here was a question in which their sovereign might naturally be supposed to take considerable interest, and in the times before the passing of the reform bill, no ministry would have dreamt

of continuing in office for a day after a defeat on a matter in which their honour and credit was so deeply concerned. The evenly balanced state of parties, however, renders it inevitable, that either changes of administration should be constantly taking place, or that the party in power should persevere in spite of the occasional success of the opposition. The necessary consequence of such a state of things is, that the favor of the sovereign becomes of much greater importance, and the ministry who have the good fortune to retain it may survive many a discomfiture in parliament which would prove fatal under different circumstances. Such a majority, however, as we are now alluding to, was large enough to have decided the fate of any government providing that it had been entirely composed of members entertaining the same political opinions, but as it contained together with the conservatives a considerable admixture of those who are generally classed among the supporters of the administration, it was perhaps regarded rather as the result of an accidental combination than as a victory achieved by the steady systematic opposition of a party possessing greater strength in the house of commons. A symptom rather of the weakness of the government in themselves, than a sign of the increased power and popularity of their opponents. So elated however was colonel Sibthorp by the success of his amendment, that he endeavoured to follow it up a week or two afterwards by moving for the insertion of a clause in the bill for prince Albert's provision, to the effect that the annuity of 30,000*l.* should cease altogether in case his serene highness should reside for a less period than six months consecutively in each year within the united kingdom of Great Britain and Ireland, or should ally himself in marriage with any foreign princess who should not be a Protestant, or should cease to possess and adhere to the Protestant religion as by law established in these realms. Sir R. Peel exposed the inexpediency and inconsistency of making any such restrictions as these, which would compel the prince at the risk of losing his annuity, to adhere to the church as established within these realms in case of her majesty's death, while he is free to be a member of the Lutheran church or any other Protestant church during her lifetime. Lord John Russell concurred in the observations of sir R. Peel and the gallant colonel, feeling that the house was against him, did not press his motion to a division

CHAPTER II.

PRIVILEGE QUESTION.—*Sale of goods of Messrs. Hansard—First action for libel brought by Stockdale—Second action commenced by him—Appointment of Select Committee by the House of Commons to examine and report as to privilege of publication—Resolutions passed by the House—Result of Second action by Stockdale—Case of Polack—Resolutions passed by the House of Commons—Third action commenced by Stockdale against Messrs. Hansard—Direction of the House to Messrs. Hansard not to appear or plead—Execution of inquiry of damages—Proceedings in the action—Writs of fieri facias and venditioni exponas issued—Application to Mr. Justice Littledale by Sheriffs, to enlarge rule for return of writ of venditioni exponas—Petitions from Messrs. Hansard to the House—Motion by Lord John Russell, that Stockdale be called to the bar—Debate thereon—Motion carried. Further discussion on Motion that Stockdale had been guilty of Contempt—Warm altercation between Sir Robert Inglis and Mr. O'Connell—Stockdale committed to the custody of the Sergeant-at-arms—Motion by Lord John Russell, that the Sheriff of the County of Middlesex be called in—Motion by Lord John Russell that the Sheriffs be ordered to refund to Messrs. Hansard the monies levied by them—Animated Debate on this question—Motion that the Sheriffs be committed to the custody of the Sergeant-at-arms—Carried by a large majority—Motion that Mr. Howard (attornsy to Stockdale in the action) be called to the bar—Amendment by Sir Edward Sugden—Mr. Howard apologizes to the House and is reprimanded by the Speaker.*

IN our last volume we mentioned, that on the 17th of December, 1839, it was expected that a sale would take place of part of the property of Messrs. Hansard, printers and publishers of the reports of the house of commons, under a writ of *venditioni exponas,* in order to satisfy the judgment obtained by the plaintiff in the case of Stockdale *v.* Hansard; but that, in consequence of the amount of damages having been paid into the sheriffs' office the night before no sale did take place.

This was part of the proceedings in what is generally known as the Privilege Question, a question of such importance as to justify us in devoting a considerable portion of our columns to a statement of the principal facts connected with it. In later times we hardly have any question which in a constitutional point of view deserves more earnest and dispassionate inquiry than

this, nor one which at the time when it was agitated, appeared more pregnant with evil consequences to the liberty of the subject on the one hand, and the just privileges of the house of commons on the other. A contest between two clashing jurisdictions of such high consideration in the country, as the House of Commons and the Court of Queen's Bench must be deprecated by every good citizen; and a record of the occurrences which led to the unfortunate collision will, we think, be not without interest and instruction to posterity.

Our intention is, to give a succinct narrative of the events as they happened, and then from the debates which ensued in parliament, exhibit the arguments and feelings of those who took opposite sides in the discussion of this momentous subject.

In the year 1835, a bill was proposed in the house of lords by the duke of Richmond, for the purpose of appointing inspectors of prisons. This bill passed into a law, and inspectors were appointed, who visited Newgate among other prisons, and made their report accordingly. A copy of this report was laid before a committee of the house of commons, which was afterwards embodied in the report of that committee. The house ordered that report to be printed and sold by Messrs. Hansard. And it was by them published and sold under the title of *Reports of the Inspectors of Prisons of Great Britain.*

In this report it was stated, that the inspectors of the gaol of Newgate found amongst other books in use by the prisoners, one published by John Joseph Stockdale, in 1827, which they said, was "a book of the most disgusting nature, and the plates are obscene and indecent in the extreme."

On the 7th of November, 1836, Stockdale brought an action against Messrs. Hansard, for the sale of this report, on the ground that the allegation therein contained about the work was a libel. The defendants pleaded two pleas, first, "Not guilty;" secondly, "That the words complained of in the declaration are true."

Under the plea of not guilty, the attorney-general (Sir J. Campbell) was counsel for the defendants, and attempted to show that this report was a privileged publication, being printed, and sold by the authority of the house of commons; and that, therefore, on that ground the defendants were entitled to a verdict. Lord Denman, however, in his charge to the jury said, "I entirely disagree from the law laid down by the learned counsel for the defendants. My direction to you, subject to a question hereafter is, that the fact of the house of commons having directed Messrs. Hansard to publish all their parliamentary reports is no justification for them, or for any bookseller who publishes a parliamentary report containing a libel against any man."

The jury, however, gave a verdict for the defendants on the second issue; namely, that the allegations complained of were true.

On the 6th of February, 1837, Messrs. Hansard communicated to the house of commons, that legal proceedings had been instituted against them by Stockdale, for the publication by them of certain parliamentary papers and reports, in which he conceived himself to have been libelled.

A select committee was accord-

ingly appointed by the house to examine precedents and report upon the question of its privileges in regard to the publication of reports and other matters. Among the members of this committee were the attorney-general, Mr. sergeant Wilde, sir Robert Peel, sir William Follett, lord Stanley, sir Frederick Pollock, sir George Clerk, Mr. O'Connell, and sir Robert Inglis.

The committee having concluded its labours, and, with the single exception of sir Robert Inglis, having decided in favour of the privilege, which would protect any publication ordered by the house from being made the subject of an action for libel, the house of commons on the 30th of May, 1837, passed the following resolutions :—

" First, that the power of publishing such of its reports, votes, and proceedings, as it shall deem necessary or conducive to the public interests, is an essential incident to the constitutional freedom of parliament, more especially of this house, as the representative portion of it.

" Second, that by the law and privileges of parliament, this house has the sole and exclusive jurisdiction to determine upon the existence and extent of its privileges ; and that the institution or prosecution of any action, suit, or other proceedings, for the purpose of bringing them into discussion or decision before any court or tribunal elsewhere than a parliament, is a high breach of such privilege, and renders all parties concerned therein amenable to its just displeasure and to the punishment consequent thereon."

The action, however, brought by Stockdale went on, and Messrs. Hansard were directed to plead to the declaration. They pleaded accordingly to the effect, that the publication in question was a privileged one, on the ground that it was issued by the authority of the house of commons, and therefore could contain no libel in the legal acceptation of the term.

This plea was demurred to, as insufficient in point of law ; and it was ably argued in the court of Queen's Bench, by Mr. Curwood, for the plaintiff, and the attorney-general for the defendants. The court gave judgment against the plea, and damages were afterwards assessed, which the house of commons directed Messrs. Hansard to pay over to the plaintiff, on the ground, that as they had submitted the plea to the consideration of the court, they ought not to refuse to pay the damages, since the judgment was against them.

On the 31st of July, 1839, Messrs. Hansard again communicated to the House that similar legal proceedings were threatened against them by Mr. Charles Shaw, an attorney, on behalf of a Mr. Polack, on account of some alleged defamatory matter contained in a report on the state of the islands of New Zealand, which had been published by order of the house of commons. This statement was immediately taken into consideration, and on the 1st of August the House passed the following resolutions :

" First, that Messrs. Hansard, in printing and publishing a report and minutes of evidence on the present state of the islands of New Zealand, communicated by the house of lords to this house, on the 7th of August, 1831, acted under the orders of this house ; and that to bring or assist in bringing any action against them for such

publication would be a breach of the privileges of this house.

"Second, that Messrs. Hansard be directed not to answer the letter of Charles Shaw, mentioned in their petition, and not to take any step towards defending the action with which they were threatened in the said letter."

Upon this Mr. Polack communicated to the house, that the proceedings had been commenced without his sanction; and that he had no intention of taking any legal steps against Messrs. Hansard, in consequence of their publication of the report in question.

The matter thus seemed to be set at rest; but on the 26th of August, Stockdale commenced a third action against Messrs. Hansard, for again publishing the same libel, (the sale of each copy of the report containing the alleged libel, being in contemplation of law a fresh publication of it.) The process in this action issued out of the court of Queen's Bench; and the subsequent proceedings were carried on by Howard, as attorney for Stockdale. Messrs. Hansard, on the 27th of August, addressed a letter to the speaker, informing him of the action which had been commenced; and they received personally from him instructions to conform strictly to the resolutions which had been previously agreed to by the house.

In consequence of this intimation, and acting under legal advice, Messrs. Hansard determined not to appear and plead to the action commenced against them by Stockdale; but they served him with formal notice of the resolutions of the house of commons, of the 30th of May, 1837, and the 1st of August, 1839. Not deterred, however, by the tenor of these, Stockdale on the 26th of October, filed a declaration in the said action, wherein the damages were laid at 50,000*l.*; and on the 1st of November, 1839, interlocutory judgment was signed for want of a plea.

Messrs. Hansard again caused notices against proceeding with the said action, together with copies of the above-quoted resolutions to be served upon Stockdale and his attorney, who nevertheless proceeded with his action; and on the 2nd of November, served Messrs. Hansard with a notice that a writ of inquiry of damages would be executed before the sheriff of Middlesex on the ensuing 12th day of November.

It may be as well to mention here, that the two sheriffs of London constitute only one sheriff of Middlesex. On this occasion, that office was filled by William Evans, esq. and John Wheelton, esq., and they were served with similar notices by Messrs. Hansard, calling their attention to the resolutions of the house, and warning them against proceeding in Stockdale's action.

In consequence of this, the sheriffs on the 8th of November, made an application supported by an affidavit to the court of Queen's-bench, praying that the court would enlarge the return of the said writ of inquiry, until the meeting of the house of commons in the ensuing session. This application was directed to be made in the bail court, and having been there heard on the following day by Mr. Justice Littledale, he refused to make any order.

The writ of inquiry was accordingly executed on the 12th of November, when the sheriffs' jury assessed the damages at 600*l.*

Stockdale then applied to the court of Queen's-bench for a rule to compel the sheriff to return the writ of inquiry, which was ordered accordingly. And on the 23rd of November, a writ of *fieri facias* was issued and lodged with the sheriff, who thereupon entered upon and took possession of the printing-office, premises, and stock in trade, of Messrs. Hansard.

Having been ruled to return this writ, the sheriff made his return into the court of Queen's-bench on the 29th of November, stating "that they had caused to be seized divers goods and chattels of the defendants (Messrs. Hansard) which remained in their hands for want of buyers." Thereupon Stockdale issued a writ of *venditioni exponas* directing the sheriff to proceed to a sale of the goods and effects of Messrs. Hansard, and thus enable the plaintiff to recover the fruits of his judgment. The sheriff of Middlesex (Messrs. Evans and Wheelton, the two sheriffs of London, as we before mentioned) was thus placed in a painful dilemma. On the one hand were the resolutions of the house of commons breathing summary vengeance upon all who should be guilty of such a glaring contempt as that of mulcting their printer in damages for publishing defamatory matter according to their order—on the other was the well-known writ issuing from the court of Queen's-bench, which, if neglected, would infallibly be followed by an attachment. The sheriffs had thus the pleasant alternative of two prisons—either Newgate on the committal of the speaker of the house of commons, or the Marshalsea by virtue of an attachment from the Queen's-bench.

They accordingly applied to a judge at chambers (Mr. Justice Littledale) to have the return of the writ of *venditioni exponas* enlarged—and this was granted until the 19th day of December. The sale was accordingly fixed to take place on the 17th of December; but as was stated in our last volume,* the amount of damages was paid into the sheriffs' office the night previous, so that there was no public sale.

It appears from the petition of Messrs. Hansard, subsequently presented to the house of commons, that on the 16th of December, a Mr. Winsland, builder, purchased of the sheriff, goods belonging to Messrs. Hansard, to the amount of 695*l.*, and thus the sheriff was enabled to satisfy the judgment obtained by Stockdale. He did not, however, pay it over, but retained it in his hands; and on the 11th of January of this present year, Stockdale caused an application to be made to the court of Queen's-bench for a rule to compel the sheriff to pay over to him the amount of damages and costs in the action. The court thereupon granted a rule, calling upon the sheriff to show cause on the 17th day of January following, why he should not pay over the money in his hands to Stockdale. Parliament, however, met on the 16th day of January, and on that day Lord John Russell rose, and presented a petition from Messrs. Hansard, which went into a detail of the facts connected with the action which had been commenced against them—and prayed for such relief under the circumstances as to the house should seem meet.

Lord John Russell then said,

* p. 270.

that it was incumbent upon the house to lose no time in coming to a decision upon this question. There appeared to him many ways in which they might dispose of it. They might act upon their ancient and undoubted right, and vindicate the violation of their privilege by the ancient mode of commitment. That was, in his mind, the most constitutional course, and the one most consistent with the dignity and privileges of the house; or the house could, if it thought fit, direct that Messrs. Hansard should plead in all cases of future action, and thereby bring the question of privilege before the courts. They could also adopt another course and abandon all their privileges—confining all their papers to a circulation among the members only, or they might proceed, if they thought it necessary to have the papers circulated for general use, to provide for the settlement of the question by a bill brought in for that purpose. Their present position, however, was one in which no person could say they ought to continue. He should therefore move, that certain persons mentioned in the petition be summoned to the bar of the house, when it would be in the power of the house to adopt that course, which under all the circumstances of the case it might think proper to pursue. He should first move, that John Joseph Stockdale, the plaintiff, be called; next, Thomas Burton Howard, his attorney in the case; then William Evans, the sheriff, together with his undersheriff, and the deputy undersheriff, Mr. Burchell, who presided at the trial.* He should also move for the attendance of the bailiff who acted in the case. The noble lord concluded by moving, that John Joseph Stockdale be summoned to the bar on the following day.

Sir Edward Sugden fully concurred in the opinion, that things could not remain in the state in which they now were. It was decidedly necessary that some step should be taken. No one was more disposed than he, to assert and vindicate the just privileges of the House; but it was impossible to disguise the fact, that if the sheriffs were to be called to the bar and committed, they must proceed much further, and come into collision with the judges, or give up all claim to these privileges. The question before the house was, upon their right to authorize the publication generally of whatever papers they chose to print, and their right to sell those papers to whoever chose to buy them, no matter what their contents. They had first to inquire if they possessed the power of commitment, and if the party committed could be released upon a *habeas corpus*. That they did possess that power was undoubted. The right hon. gentleman then cited the cases of lord Shaftesbury and Ashby *v.* White; and said the effect was to establish the power of the house of commons to commit for breach of privilege beyond the possibility of being questioned by any other court, and that no court had the power of doing so. It was incident to every such court to have the power of commitment for contempt; and it alone was judge of what was contempt and what not.

The next question was, supposing the commitment to be illegal,

* That is the trial of the writ of inquiry of damages which were assessed by the jury at 600*l*.

could the parties suffering under it maintain an action for assault or false imprisonment? The authorities upon the subject clearly settled that they could not recover in such action. In confirmation of this view, the right hon. gentleman cited the cases of Jay *v.* Topham and Burdett *v.* Abbott. He took, therefore, he said, as settled, that that house had the power to commit, and that no authority could examine into that commitment; likewise that no man could maintain an action of assault or false imprisonment in consequence of that power having been duly exercised. He said, duly exercised, because the officers, if they exceeded the authority imposed upon them in the execution of the writ, were amenable at common law, and no power of that House would protect them from the recovery of damages. The great question, then, remained as to what were the rights of that house incidentally, if an action were brought for damages. The result of his investigation was, that a resolution of that house was of no avail in a court of justice. Upon an action brought upon a commitment, it was the duty of the court, the case being brought before it, to inquire into it and decide it. In the cases he had referred to, the courts heard and decided, but did not examine the validity of the commitment. The case of Ashby *v.* White to which he would not refer, would enable the house to understand the question more clearly. The plaintiff brought his action against the defendant, a returning officer, for refusing to take his vote. Chief Justice Holt, who was always against the privileges of the house, was of opinion, although there were eleven judges, and the lord chancellor against him, that the action would lie. Upon an appeal, from the decision that the action would not lie, to the house of lords in its judicial capacity, the judgment of the court was reversed. That case involved the question of a breach of privilege of the house of commons; for it had voted that it was a breach of privilege to bring the action. The house of commons had never reversed that decision of the house of lords. How, then, did the case stand? The house of lords, as a court of justice, would not attend to their resolution. The house of lords had, in fact, already refused to attend to their privileges, and had decided as a court of law upon them. Let them, therefore, observe the situation in which they placed the court below. If it even decided for them, there might be an appeal, and the house of lords might decide against them notwithstanding their resolution. He consequently found himself under the necessity of admitting that no resolution of the house of commons could bind a court of law in its decision of a question upon an action which involved the privileges of that house. The Banbury peerage case shewed that no resolution of the house of lords was binding upon a court of law. Many judges had held that the privileges of the house of commons coming incidentally before the courts must be examined. The exceptions were commitments and actions against them for false imprisonment. Lord Kenyon had said, that cases would arise which the court (of King's-bench) would be bound to investigate; and lord Ellenborough expressly declared, that cases might arise in which the court would be bound to examine into the ques-

tion of privilege and decide against it. He (sir Edward Sugden) would now briefly call the attention of the house to its right of publishing papers which might prejudice other persons. The question might be narrowed to this: could the house print and publish papers generally, and which reflected prejudicially upon the character of others. The right hon. gentleman then, after quoting some other cases, said, that he would read to the house what lord Ellenborough in "Rex *v.* Creevy" had said in reference to lord Kenyon's observations in Rex *v.* Wright." His lordship said, that,

"What was printed for the use of the members was certainly a privileged communication; but he was not prepared to say, that to circulate a copy of that which was intended for the use of members, if it contained matter of an injurious tendency to the character of an individual, was legitimate, and could not be made the ground of a prosecution. He would hesitate to pronounce it a proceeding in parliament in the terms given by some of the judges in that case (Rex *v.* Wright)."

In the case of "Rex *v.* Creevy," an action was brought against Creevy for the publication of his own speech, after it had been delivered in that house. In that case, as the speech contained matter injurious to an individual, it was held that Creevy was liable to indictment. That was a strong case. A member might make what statement he pleased in that house; but when he went out of that house and published his speeches delivered within its walls, he was liable to an indictment if he published what was injurious to individuals, but which he had an undoubted right to state before the house. This brought him to that part of the question which had reference to the authority of the house. Now, his opinion was, that even in a court of common law the judges would have been bound to decide this case of Stockdale had it been brought before them. The right hon. gentleman then proceeded to ask what the house should then, under the circumstances do? Were they to bring the sheriffs to the bar? Could they commit the judges? No. He would distinctly say, that that House would disgrace itself for ever if it ventured to call the judges to the bar. Was the house prepared to commit the sheriffs? Why, in four days, if they did not pay the money when ordered, they would be committed by the court of Queen's-bench.

Let the house reflect, that their present position with regard to this matter, was the result of their own conduct, and was it therefore right or proper that they should now visit on the executive officers of justice, all the unfortunate consequences of their own delay? In the first action which had been brought, the house had allowed the proceedings to go on, and the judges were bound to decide on the question which was brought before them. In the next the House had refused to appear, and judgment had been allowed to go by default in consequence. In the first instance when the case was before a jury, it was pleaded that Stockdale was not the injured person he represented himself, and the jury had found that that was true and no damage had been given. In the next case the jury had given 100*l.* damages, and in the last case 600*l.*, and from what he knew of

the spirit and independence of the juries of this country, he had no hesitation in saying that, if they went on, they would in the next case give 6,000*l*.

What course then were they to follow? He would suggest, that the house, before proceeding further, should have a conference with the lords. By so doing, this house would be submitting to no degradation. It would not be submitting the question of its privileges to the house of lords, but it would in a point of law, be taking the opinion of the highest tribunal which the country recognised. As he had before said, he was of opinion that the house had the right to publish this particular paper, but the evil had arisen from the resolution of the house ordering the sale of the papers printed for the use of the members. The house, in fact, were now acting in the character of booksellers; and although formerly the public could obtain copies of certain parts of their printed papers, yet they could not then, as in the case of Stockdale, purchase as many copies as any individual might choose. His opinion, therefore, was, that the house should, as a preventive measure, rescind the resolution authorising the sale of its papers. The right hon. gentleman concluded by saying, that he should oppose the motion for ordering the sheriffs to the bar of the house.

After a short speech from sir Robert Inglis, in which he stated that he should oppose the motion of the noble lord,

The Attorney-general rose and said, that he had not the slightest hesitation in declaring that he entirely approved of the motion of his noble friend; and that unless that motion were carried, in his opinion the privileges of the house would be for ever lost. He thought that their usefulness would be at an end if they abandoned their privileges, and that if they succumbed on that occasion they would be guilty of treason to those who sent them there. He would ask would the house allow the damages awarded in the action to be levied upon the goods of Mr. Hansard? would the house allow the money to come out of Mr. Hansard's pocket? or would it say, that the sum should be included in the estimates for the year, to be paid out of the revenue of the country? If they did that, they would not only abandon the right of publishing that which they conceived to be necessary for the public good—but would totally alter the position in which they had hitherto stood. They would in that case submit themselves not only to the judgment of the court of Queen's Bench, but to the judgment of every other inferior tribunal throughout the whole of this country. A similar action to that brought by Stockdale in the Court of Queen's Bench might be brought in a Court of Requests, in a borough court, or in any of the manor courts in any part of the country, and each of these courts would have an equal right with the Court of Queen's Bench to decide upon their privileges.

It was said, that the judges in the case of Stockdale *v.* Hansard, although they decided against that particular part of the privileges of the house which related to the publication of papers, were nevertheless disposed to respect its other privileges. But did they know how long they would continue to respect them? Lord Denman in that very case, cast a doubt upon

their power of commitment, and had reserved to himself the right of inquiry whether that power which might in some cases belong to them ought always to be exercised. The majority of the other judges, it was true, differed from lord Denman upon that point; but how did he know, that in the course of a few years a majority of them might not concur with him, and over-rule their power of commitment, just as they (the judges) had over-ruled their power of printing? The motion before the house was simply this—that Stockdale and the sheriffs be required to attend at the bar of the house. If the sheriffs were required to attend, it did not in the slightest degree follow that they were to be sent to Newgate. The sheriffs might justify themselves, but surely the house had a *primâ facie* case for calling them to the bar. Under the circumstances he thought it was highly probable that the house might determine that the sheriffs should be committed to Newgate; and at present, he confessed he knew of no other course by which the privilege of the house could be vindicated. The hon. baronet, the member for the University of Oxford, said "Why not seize the judges?" So far as this case was concerned, the judges were not at all to be found fault with; because in this case it had never been judicially submitted to them, that the action was brought against Hansard for that which he had done in obedience to the orders of the house. The judges, therefore, were not to blame, but the sheriffs with full notice of the resolution of the house, had proceeded to levy an execution upon the goods of its servant. In order to shew that there were not wanting precedents for such a step as that of summoning the sheriffs to the bar — the Attorney-general cited the case of "Bell *v.* Glass," which occurred in 1827. Bell the plaintiff brought an action in the Court of Requests against Glass, an officer of the house of lords, because Glass, in obedience to the orders of the house, took an umbrella from him. The Court of Requests heard the case, and awarded damages to Bell. What did the house of lords do? They immediately summoned Bell the plaintiff to the bar of their house, together with the clerk of the Court of Requests, and, as he thought, one of the judges. They declared that it was a high breach of the privileges of their house to have brought the action; and they warned Bell that he should not persist in levying the damage. Furthermore it was only on the assurance of Bell that he would abandon the judgment given in his favour, that he was not committed to Newgate. The officers of the Court of Requests declared that they were not aware, that the matter had arisen out of a breach of the privileges of the house, and that Glass had acted in obedience to their orders, and for that reason and that reason alone, the officers of the court were acquitted. The house of lords had acted in the same manner in many other cases. It was said, that to agree to the motion of his noble friend might bring them into collision with the house of lords. Undoubtedly it would. It could not be avoided, but the conflict was not of their seeking They had done everything in their power to avoid it. With very great deference to the character of the lord chief justice, for whom he had the highest reverence, he must say,

that the conflict might have been avoided. They had done their utmost to avoid the collision, but it now became inevitable. It must now be determined whether the house of commons, or the courts of law were to have the superiority. The house of commons were then to determine whether all its privileges were to be at the beck of every judge, high and low, and of every court of common law, civil or criminal. The sheriff still had the money in his hands—that court (for they, i. e. the house of commons, were a court) might order him to retain the money or to return it to Hansard. If the house should adopt that course, the sheriff would have it in his power to say to the court, that the house of commons in vindication of its privileges had ordered him to return the money to Mr. Hansard, because it was a violation of the privileges of the commons of England, that the execution should be levied. It might then be referred to the Court of Queen's Bench to say, whether that was not a sufficient excuse. He (the Attorney-general) apprehended, that according to every authority and every rule of law, the rule then depending (namely, that to shew cause why the sheriff should not pay over the money to Stockdale) ought to be discharged. He admitted, that upon all general matters a resolution of the house could not be held to be binding upon a court of law. But questions of privilege were distinct from all other matters, and as regarded them he maintained that a resolution of the house was binding upon a court of law, because the house was the sole judge of its own privileges. They came then to no resolution further than that the sheriff should be summoned. Every thing else was open to discussion. No hon. member by voting for the present motion pledged himself to go one jot further. It would afterwards be open for consideration whether the sheriff should be committed or discharged, or whether as a middle course he should merely be ordered to retain the money or return it to Hansard. At all events whatever ulterior course the house might pursue—he trusted that it would adopt the motion then submitted to it by a large majority.

Lord Mahon opposed the motion at considerable length, saying that he felt bound to resist the attempt to erect the house of commons into a new and a worse court of star-chamber, when he was followed by,

Mr. Cresswell who said, that if he rightly understood the grounds upon which the noble lord (Lord J. Russell) proceeded, then, in his opinion, if any person ought to he called before the house, it ought to be the judges who pronounced the judgment upon which the sheriff was acting. The hon. gentleman the Attorney-general, was mistaken when he said, that the judges had not had notice. The petition stated, that they had notice; that application had been made to them to prevent the return of the writ. The act of the jury was in execution of the writ of the judges, and therefore they had notice, they had proceeded after that notice, and they had adopted the proceedings of the other parties. The judges then were the real parties. He contended that lord Denman would have shrunk from his duty, if he had not given his opinion on the question involved in the cause brought before him. The Attorney-general had said, that the house of commons

had authorised what had been done, and, therefore, it was legal. He defied the Attorney-general to prove that proposition. Lord Denman repudiated the doctrine. The house of commons took offence on that occasion, a discussion took place, and the resolutions were passed which he was happy he did not agree with. Another action was brought. The house had passed a resolution, that any court which should entertain an action was guilty of a breach of its privileges: but the very house that passed that resolution made an order that the Attorney-general should plead for Mr. Hansard to that fresh action. What was the form of the plea? It was not to the jurisdiction of the court; they came in and defended what they had done, and put themselves upon the judgment of the court; they in fact, told the court that it was not to decide against them. The court did decide against them. The court heard the argument, it gave judgment against them. How could a contempt be more complete? Why did they not send for the judges? No—they paid the money. Mr. Stockdale brought another action. They did not say then that they would oppose it, but they admitted in the record, that Mr. Hansard had, without an excuse, published a libel upon Stockdale. They did not say anything in answer to the action, and so they admitted the allegation to be true. When they had admitted this there was nothing left but an inquiry, into the extent of the injury which had been sustained by a libel which had been published without justification or excuse. Was there a single instance in which the house of commons had ordered a court not to proceed in an action? No. Was there a single instance in which the house had successfully stopped an action? No. Would they be able to stop the present action? They might send to the sheriff and tell him not to pay the money, or they would send him to Newgate; they might send the sheriff to Newgate, but would they stop the action? The judges would tell him, if he did not pay the money they would send him to prison; so that he would be like the flying fish equally unsafe in the air or the water. On these grounds he resisted the present motion.

Sir Robert Peel after recapitulating the circumstances which had led to the present embarrassment, asked the house whether they should abandon their privileges? If they permitted the sheriffs to pay Stockdale the damages which the jury had awarded, what would be the next step? They could not prevent Stockdale from instituting another action, if they once admitted, that one of their officers was liable in any court of law to an action, civil or criminal, for performing his duty to them? Had they any privileges? Were they the judges of those privileges? Those were the questions. His noble friend (lord Mahon) admitted one certain privilege, the privilege of publishing for the use of the members of the house. Suppose they should proceed by resolution to declare, that the house had the privilege, and that they themselves were the exclusive judges of those privileges. There were no means of enforcing any privilege except by resolution. His noble Friend said, that they added the power of sale to their old privilege. He (sir R. Peel) was ready to admit,

that the use of the power of sale had raised some prejudice against them in the public mind. It might be a question of policy whether they should adhere to the sale, but it could be a question of policy only, and did not enter into the present discussion. What was the present publication? It consisted of inquiries into the state of gaols. It was proposed to introduce some new regulation to cure the abuses existing in prisons. As an instance of these abuses it was stated, that the prisoners were in possession of publications which, pretending to be scientific, were calculated to injure the minds of the prisoners. If this were true, was it not a material fact? His noble Friend said, that they might make a publication of the fact for their own use. Had his noble Friend considered the difficulty of confining it to their own use? had he considered the difficulty of not communicating it to their constituents? If a member in possession of such papers, should in any manner communicate their contents to any other person, the question would immediately arise, if the Court of Queen's Bench should determine that the member had been a little too free in the use of his papers, even by communicating them to a constituent, the very question which they had now to consider would then arise. He firmly believed, that this privilege of publication was essential to the house in order to enable it to perform its duties. He did not conceive, that they could act as a house of commons, unless they had the power of publishing, not only for their own use, but for the information of the public what they considered necessary. How could they address the crown for the removal of a judge for misconduct, without first satisfying the public mind that their decision upon such conduct was correct? Could it be possible for the house of commons to set aside the claims of a duke of York without convincing the public mind that danger existed if he ascended the throne? At the same time, he was quite aware of the imperfection of the power which they possessed. He was aware that their power was perfect only whilst parliament was sitting. Here was an instance of the imperfection. He would ask the house to suppose a case. Let them suppose that the Court of Queen's Bench should persevere in issuing a process in opposition to an injunction of the Court of Chancery. This would be a case of conflicting jurisdictions which the law could not foresee, and what would be the course to be pursued by the court of chancery? Would they commit the judges of the court of Queen's Bench? He thought, that they would not, but that they would direct their offensive proceedings against the officers of that court. Whatever might be the result of this case, he must express his firm belief, that the privilege of free publication was essential to the performance of their duties as a deliberative assembly, and as one of the branches of the constitution of the country.

Mr. Fitzroy Kelly who next rose to address the house, said, that whatever mode of dealing with the case might be adopted, he hoped, that the Messrs. Hansard having acted under the orders of the house, would be fully protected and indemnified. When the proper time came, he should propose an amendment to any resolution which might be laid before

the house to that effect—and he should further venture to suggest, that in any case which might hereafter arise, the hon. and learned attorney-general might be instructed to defend the action, and afterwards report upon the subject to the house. In conclusion, he begged to say, that if the hon. and learned attorney-general were sincere in saying, that the court of Queen's Bench had come to a wrong conclusion, let him bring a writ of error in order that the question might be fairly decided. He hoped that a writ of error would yet be brought, and that the privileges of that house might be sustained, as they had hitherto been, by the legal and constitutional tribunals of the country.

Lord John Russell said, that with regard to the privilege of printing and publishing the papers connected with the proceedings of that house, before the revolution of 1688 the votes of the house were printed and published by the authority of the Speaker, with the evident intention of appealing to the people as to the conduct of the house of commons, and the very first act after that, was the printing and publishing the Declaration of Rights, in which the house of commons of that day appealed to the people for their support in that extraordinary crisis. The house of commons subsequently continued to print their votes and papers, and for a considerable time during the last century, about 240*l.* a-year were regularly received by the Speaker in respect of the profit arising from their sale. The noble lord then proceeded to contend, that the practice of parliament—the determination of the house of commons since the period of the revolution—and the opinions expressed by the learned judges in conformity with that practice and that determination, had acknowledged the right of publication. As to the question whether they were to give way in this matter of privilege, he did not see, why, if the courts of law could interfere with the privilege of publication, they could not also interfere with that of freedom of speech and other privileges which had been alluded to. With regard to the manner of asserting their privilege, he thought, that they should first assent to the measures which had already been adopted. An hon. and learned gentleman (Mr. F. Kelly) had contended, that the Messrs. Hansard ought to be reimbursed by that house, the amount lost by them in consequence of such damages having been given by the jury. Why, what would be the consequence of such a course being adopted? Continually increasing damages awarded by juries—and in fact, every man against whom any libellous matter might be published, however deserving of punishment, would, if such a principle were adopted, acquire a claim on the public treasury. A species of annuity of thousands a-year would be created and added to the expenses of the house of commons. Another suggestion was, to propose a conference on the subject with the house of lords. But what would be the answer of the house of lords? That they were quite able to maintain their own privileges—and that they therefore would leave it to the house of commons to consider if they also had not the means of vindicating *their* privileges. A power similar to that asserted by the house of commons

was exercised by the chancery court. The court of exchequer exercised a similar power. He had read that morning an elaborate judgment of chief baron Eyre on the subject. He felt in common with the right hon. gentleman opposite (sir Edward Sugden), that they were placed in a situation of great difficulty, being no longer assisted by the courts of law. He was aware, in fact, that obstacles might arise, not from the want of power on their part, but from the great extent of their powers. Under the resolution of 1837, he contended, that it was quite competent to the house to call the judges to the bar of that house, and there impugn their conduct on the judgment seat; but undoubtedly great public inconvenience must arise from it. For his own part, he must say, that if by stopping the inferior officers of the law, these proceedings could be brought to a close, it would be preferable to adopting the extreme course.

The house then divided, when there appeared:—Ayes 286; Noes 167: Majority 119.

On the resolution that the sheriffs be called to the bar,

Mr. F. Kelly moved an amendment, to the effect, that the sheriffs and under sheriffs be ordered to bring with them all writs, rules, and other authorities, under which they might have acted.

For this resolution so amended, there appeared on a division:—Ayes 206; Noes 117: Majority 89.

On the following day January 17th, the order of the day for taking into consideration the petition of Messrs. Hansard was read.

Lord John Russell moved, that John Joseph Stockdale be called to the bar. He was accordingly called in and placed at the bar—when the attorney-general interrogated him at some length as to the facts of the different actions against Messrs. Hansard in which he Stockdale was plaintiff. Part of the examination was directed to the point that the book published by him and alluded to in the report of the committee, which was the alleged libel and subject matter of the action, was in fact an obscene publication — and that Stockdale prevented as far as he could, the jury who assessed the damages from seeing either the book or the plates contained in it. Stockdale asserted, that the work in question was of a strictly professional nature—but would not deny, that he had refused to produce the book or plates before the sheriffs' jury who had to award the damages on the writ of inquiry.

He was then ordered to withdraw, when lord John Russell rose and moved, that Mr. Stockdale having brought an action against Messrs. Hansard for the publication of a report ordered by this house to be printed, has been guilty of a high contempt and breach of the privileges of this house. To this Mr. Law proposed as an amendment, that Mr. Stockdale be now discharged from his attendance at the bar. An animated debate then took place, in the course of which,

Sir R. Peel said, that as these proceedings would be left as matter of record, he submitted, that the resolution ought distinctly to recite the offence by which the breach of privilege in this case had been committed.

Lord John Russell in answer stated, that he was about, in the first instance, to move a resolution nearly in the terms sug-

gested by the right hon. gentleman—but after the attorney-general had remarked (which he considered of very great importance), that if they recited the particular grounds upon which they adjudged that Mr. Stockdale was guilty of a breach of the privileges of the house—and if this question came to be argued hereafter—seeing that these privileges were now so much in question—it might be said, that although the house had a right of inflicting punishment for any indefinite breach of its privileges, yet that an action and proceedings with regard to the publication of a libel, was not a matter that came within that privilege. To specify therefore the particular grounds of Mr. Stockdale's offence in this instance, might hereafter be made use of as an argument against the house. What appeared to him to be at present the proper course, was to exercise their right of adjudicating Stockdale to have been guilty of a high contempt and breach of privilege. They then might proceed to consider what ought to be the punishment to be inflicted on the offender.

Mr. Pemberton said, it was with sincere pain he offered any opposition to the course proposed to be taken in vindication of the privileges of the house. He earnestly trusted, that the house would not enter into a conflict which must have consequences most pernicious to the country, unless they were quite sure both that it was necessary, and that they were right. This very point in the same form had arisen in the great case of "Ashby *v.* White." Where the question which arose respected the exclusive jurisdiction of the house of commons, quite as much as any that could possibly arise about the publication of papers. That case was an action brought by a person at Aylesbury against the returning officer for illegally rejecting his vote. The house of commons had declared, that the right of voting for a member of parliament was a question to be decided exclusively by the house of commons. He asked if there was any distinction between the present case and that of "Ashby *v.* White?" What then was the result of that case? The house of commons of that day, did what the house was now called upon to do—they committed the plaintiff in the action. Did the committal of the plaintiff stop the action? It did not. Judgment passed against the defendant in the action, he refused to pay, as Messrs. Hansard refused to pay, the damages, and in the course of a regular process of law he was committed to prison. The house committed Ashby for a breach of privilege, and the Court of Queen's Bench committed the defendant for non-payment of damages. Did this proceeding strike terror into the delinquent? It occasioned no less than fourteen new actions. In every one of these actions the plaintiff was committed by the house of commons. Did that stop the prosecution of the damages, and the recovery of the damages? Not in any one action. The result of the present proceeding would inevitably be the same. Now what was the result of the case of "Ashby *v.* White," in which the very question now at issue was raised? The consequence of the conflict between the house of lords and the house of commons was this, that the house of commons committed, as the house was now about to do, the attornies and so-

licitors, and they did, what he confessed it appeared to him, the house was on the same principle called upon to do—they committed the counsel also. Now what was the result of that proceeding? The house of lords committed in their turn the officers of the house of commons. This proceeding was followed by a prorogation of parliament, and what was the result of that prorogation? Every one of those individuals who had been committed by the house of commons was that very moment discharged, and the consequence was, that every one of the plaintiffs recovered the damages which he had obtained in the action at law. The hon. and learned member then proceeded to contend, that it was essential that the debates which took place within the walls of the house should be published, as that the reports of the committees should be—and yet it was admitted, that the former would be a breach of privilege. Privileges were intended to be means of defence, and not instruments of tyranny. He earnestly implored them not to enter now into a conflict in the assertion of a privilege which had not been asserted for 130 years. He urged upon the house the necessity of settling the question, and establishing the law by the concurrent determination of parliament, they would then have satisfaction among the people on this subject—and no difficulty or opposition on the part of the courts of law. That course they would be obliged to take at last, and he therefore put it to them whether it would not be more manly to do so at once, than to go on in the present unworthy conflict, in which, whether they were worsted or victorious, they could gain nothing but discredit.

After the discussion had been carried on by Sir C. Grey, Sir E. B. Sugden, and Mr. Wakley.

Lord John Russell proposed to withdraw the resolution he had moved, and now move one to the effect, "That Stockdale had brought an action against Messrs. Hansard for publishing by the direction of the house, evidence that was taken before a committee of the house" This, however, was opposed by Mr. Law, on the ground that there was an amendment to the original motion. In the course of the debate which ensued, Sir R. Inglis, who followed Mr. O'Connell, made use of the following words, "But was it for the hon. and learned gentleman (Mr. O'Connell), who had so traduced the women of England"—

Mr. O'Connell: That is lse.

Sir R. Inglis appealed to the speaker.

After having been called upon by the speaker,

Mr. O'Connell said, he would at once withdraw the expression he had used, and he called upon the hon. baronet opposite to do the same.

Sir R. Inglis begged to ask whether the hon. and learned gentleman denied that he had even in his place in parliament traduced the women of England.

Mr. O'Connell said, he could not hesitate one moment in assuring the hon. baronet, and the house; that such a charge was totally false.

The house afterwards divided on the original question, which was carried by a majority of 149: the numbers being, Ayes 249; Noes 100.

Lord John Russell then moved, that John Joseph Stockdale, for the said breach of privilege, be committed to the custody of the sergeant-at-arms; and that the speaker do issue his warrant for the committal.

This gave rise to a short discussion, but the motion was carried by a majority of 104.

On the next day, January the 18th, the order of the day being read for the further consideration of the petition of Messrs. Hansard,

William Hemp, the bailiff to the sheriffs, was called in and shortly examined, when

Lord John Russell moved, that William Evans and John Wheelton, esqs., the sheriff of the county of Middlesex be called in.

The sheriffs were accordingly called to the bar of the house, and interrogated by the attorney-general. In the course of the examination they admitted that the money awarded for damages and costs, had been levied, and was then in their possession and control, being in the hands of the under sheriffs, Messrs. Burchell and France.

Sir Robert Inglis afterwards moved, that the sheriffs, under sheriff, and bailiff, be discharged from further attendance on the house.

Lord John Russell moved, as an amendment, that they be ordered to attend on Monday next, which was carried by a majority of 102.

Accordingly, on Monday, January the 20th, Lord John Russell said, that it now became his duty to state the precise course, which he considered should be taken in the present stage of these proceedings. He then at considerable length went into the whole question, vindicating the claim of the house of commons to the privilege, which was the subject of dispute, and said that it appeared to him, that in considering this case, they must throw out of view altogether the peculiar degree and amount of blame or moral culpability with regard to the sheriffs. He did not mean to impute moral blame to them in having acted contrary to their duty. But what they (the house of commons) had to consider was, in what manner their privileges were to be maintained. The noble Lord dwelt on the importance of the privilege in question, and the necessity of letting the public know on what the proceedings of the house were founded, and quoted the opinion of lord Kenyon, where an application had been made for leave to file a criminal information against a printer for voluntarily publishing the proceedings of a secret committee of the house, on the ground that it was libellous. Lord Kenyon said, "It is impossible for us to admit, that the proceedings of either house of parliament are a libel;" and afterwards, "This is a proceeding by one branch of the legislature, and therefore we cannot inquire into it." He (Lord John Russell) contended, that there had been up to the recent decision no reason to doubt that such was the declared law, as law it had been adhered to, and it had not been contradicted up to the late proceeding by any other decision. The noble lord concluded by moving, that it appeared to the house that an execution in the cause of Stockdale *v.* Hansard had been levied to the amount of 640*l.*, by the sale of the property of Messrs. Hansard, in contempt of the privileges of that house; and that

such money then remained in the hands of the sheriff of Middlesex; and if that resolution should be carried, he should move further, "that the said sheriff be ordered to refund the said amount forthwith to Messrs. Hansard."

Mr. F. Kelly rose for the purpose of proposing certain resolutions by way of amendment to the motion of the noble lord, and after opposing at considerable length the view taken by lord John Russell, and insisting that the judges of the court of Queen's Bench were compelled to entertain the question, whether the house was entitled to this privilege or not; and pointing out the evil results which would follow if it persisted in its resolutions, the hon. and learned member concluded by moving, by way of amendment, the following resolution:

"That it appearing to this house, that an action has been brought against James Hansard and others, for the publication by them, under an order of this house, of certain papers containing libellous matter upon John Joseph Stockdale, and that judgment has been obtained and execution issued by due course of law against the said James Hansard and others, in such action, it is expedient that the said James Hansard and others, be indemnified against all costs and damages by them sustained in respect of such action."

The attorney-general said, that there was now no room for delay or postponement, because he knew that a motion would be made at the sitting of the court of Queen's Bench the next day, to make the rule absolute to compel the sheriff of Middlesex to pay the money to Mr. Stockdale. With regard to the privilege claimed, he said that that privilege rested on the foundation of necessity, of exercise, of acquiescence, and of authority. Since the year 1641, there had been a uniform acquiescence in this privilege. As to the question of that house being the judges of their own privileges, he would not occupy their time further than to state, that the judges from the earliest times down to lord Tenterden, had held, that the houses of parliament were the judges of their own privileges. Among the great names by whom this doctrine had been laid down, were lord Coke, Mr. Justice Blackstone, chief Justice De Grey, Mr. Justice Powys, Mr. Justice Powell, lord Camden, and lord chief baron Comyn. The hon. and learned member for Ripon (Sir E. Sugden), on a former evening, had cited a number of cases, in which the judges had asserted their right to inquire into the privileges of parliament. If the hon. and learned member would examine those authorities, he would find that they referred to one of two alternatives, either where a question of privilege arose incidentally, and where the judges of course must decide upon it, just as they would decide upon the law of France or Scotland, or Holland; or to cases (which could not decently be put), where a house of parliament clearly travelling beyond its jurisdiction, should make an order so monstrous, illegal and preposterous that no attention ought to be paid to it. In all times to come, they would have no means of vindicating their privileges if they allowed them to be violated in the present instance. He rejoiced that they were not engaged in the struggle for any individual privileges of the members; but

they were engaged in a struggle for the public. In truth the action was directed against their proceedings; it was an unlawful proceeding from the first; it was void, unconstitutional, and contrary to law; and they were actually conforming to and vindicating the law when they interfered to prevent the verdict being carried into effect. This was an action and proceeding which should never have been commenced, and therefore the sheriff would only do right to obey the order of the house. If the sheriff received a writ to seize the goods of any one, he was bound to obey it; but he might subsequently receive an order from the lord chancellor, the vice-chancellor, or the Court of Exchequer, directing him not to do so. If he obeyed the latter, was he to be considered guilty of perjury? Certainly not; because he obeyed the law which superseded the former writ. Was it, he would ask, to be suffered, that the court of Queen's Bench should make an order to the sheriff to pay the money over, or in case of a refusal issue an attachment? He entirely concurred in the eulogium passed upon the sheriffs by the right hon. baronet, the member for Tamworth; and he thought, that as individuals, they had acted fairly and honestly, and were most anxious for the discharge of their duty. He did not complain of the conduct, they had hitherto pursued; but if they refused to obey the order of the house, and insisted on pursuing the contrary course, and paying the money to Mr. Stockdale, he should not hesitate as to the line to be taken; and although it would be with great pain and reluctance, still he felt that there would be noother course open to them than to proceed against them. The hon. and learned gentleman then cited a number of authorities to show that the practice of the house of lords, as well as that of the house of commons, justified the course which the house was now called upon to adopt. In conclusion, he called upon the house to do its duty. The house might be in some difficulty; but he believed, that the boldest course on this occasion would prove the safest. It was only from timidity and vacillation, that any real danger would result. Let the house be firm; let it be consistent; let it act with vigour at the same time that it acted with moderation; and he had no doubt that the issue would be successful, and that their privileges would be preserved, and be handed down to the latest posterity.

Sir Edward Sugden followed, and in the course of his speech said, that he must express his astonishment at the proposition, that whatever the house of commons chose to assert was to be taken as the law of the country. The hon. and learned gentleman had said, that the resolutions of the house were supported by necessity, acquiescence, and authority. The necessity he took for granted, and the acquiescence he proved by stating, that no attempt had ever been made to impugn the jurisdiction now claimed since the time of Mr. Speaker Williams. But how did this statement accord with the facts of "Burdett *v.* Abbott?" He understood the hon. and learned attorney-general to lay it down, that what was done by either house of parliament could give no right of action; that was simply claiming on behalf of the houses of

parliament a despotic power. Sir E. Sugden then commented upon the cases cited by the attorney-general, in order to show that they did not warrant the conclusions attempted to be drawn from them. He said, that he should vote against the resolutions with the most perfect confidence. If, as he understood, his hon. and learned friend, the attorney-general, meant to tell them that the house ordering the sheriff to pay this money to Messrs. Hansard would be a good defence in the court of Queen's Bench, he must say he should be more surprised at this announcement, than at any thing else in the course of his speech. The position of his hon. and learned friend was absurd; it was not law. He hoped means would be taken to stop the further sale of this work. If not, they might depend upon it there would be more actions. It was not yet too late; he again implored them to pause before they took another step in this matter.

Sir Robert Peel said, that he would in the plainest and simplest manner, in the plainest and simplest terms, for the sake of giving them every advantage and defence against sophistry, state the grounds of the opinion he had come to. Sir (continued the right hon. baronet), I maintain in the first instance this position, that whatever privilege is necessary for the proper and effectual discharge of the functions of the house of commons, that privilege the house of commons possesses. My second position, Sir, is this, and it is in strict logical sequence, that this particular privilege of free publication not liable to be questioned in any court of law, is absolutely necessary. That is my second position. My third position is this. We have no security for the proper and effectual discharge of that special privilege, unless we are enabled by our own declared power to vindicate it. The right hon. baronet then proceeded to show that their privilege of free debate had been questioned in former times, not only by the crown, but also by the court of Queen's Bench. Charles the 1st expressly denied the privilege to exist. Then was the privilege of free publication necessary? Was it necessary for what lord Denman called the "energetic" discharge of their duties? Could they hope, that in these times the mere unexplained notes which they gave would meet with unquestioned acquiescence. What great legislative act that had been passed by parliament for the last fifty years had not been passed mainly from the influence of public opinion bearing upon the house of commons? Take the abolition of the slavery. Did they believe, that slavery ever would have been abolished, unless they had published to the world the evidence of the abuses and horrors of slavery? Would they have succeeded in persuading the people of England to pay twenty millions of money for the abolition of slavery, unless they had imbued the public mind with the deep and perfect conviction that a moral stigma and degradation would attach to the nation, unless it were put an end to. After instancing other cases where he contended the publication of evidence was indispensable, the right hon. baronet said, that he came to the conclusion, that the privilege of free publication was necessary for "the energetic discharge of their duties." He now came to the third point,

Had they sufficient security for the proper exercise of that privilege, and the continuance of it unless they could vindicate it by their own laws? Should they acquiesce in the decision of the court of law, or feeling the necessity of resistance, should they determine to oppose it; should they in the last resort come forward and say, not that they would increase a power which could in any sense be deemed unnecessary, but that they would omit no opportunity of marking their sense of a privilege, which they were admitted to possess in their own inherent right (for he was supposing a case where one of the undoubted privileges of the house was assailed) and that they would not fail to exhaust every method of defending and maintaining it? For his own part he thought, that the latter was the only proper and becoming course for the house to pursue. The duty of the house was to fight the battle to the last; and then, if they were ultimately overcome, they could appeal with a good grace to the authority of the state, for that permanent protection which the law as it now stood would not afford them. The right hon. baronet then quoted the following passage from the judgment delivered by lord Denman, with reference to the sale of the publications. Lord Denman said,

"In the first place, I would observe, that the act of selling does not give the plaintiff any additional ground of action or redress at law beyond the act of publishing. The injury is precisely the same in its nature, whether the publication be for money or not, though it may be much more extensively injurious when scattered over the land for profit."

With regard to a part of the question upon which the right hon. baronet said, that much ridicule had been thrown; namely, that the house of commons was the judge of its own privilege: he should refer to the dicta of the highest judicial authorities who had at different times been called upon to deal with the question as it arose in the courts of law. He would show, that the doctrine, that the house was the judge of its own privilege, much as it was now sneered at, was a doctrine that had received the sanction of the highest judicial authorities in the land. Sir Robert Peel then quoted the authority of Mr. Justice Wright, Mr. Justice Dennison, Chief Justice De Grey, Mr. Justice Gould, and Mr. Justice Blackstone, in support of this position. In concluding his speech, the right hon. baronet said, "It is with pain I come to the determination of entering into a contest with the courts of law. You may tell me that there are processes by which the payment of the money may be ultimately enforced in the courts. I admit the strength of this reasoning, and the authority conveyed by the experience of those who urge such a view; but this, I say, with a perfectly safe conscience, that every instrument which the ordinary principles of the constitution sanction, an overpowering sense of duty urges me to use, before I seek for a solution of our present difficulties in the surrender of our privileges. An attempt to remedy this evil by legislation may be made only when the other means within our power are exhausted. I have heard it said, that the house of commons has not that influence on the public mind that it once had, and that we look in vain

for the sympathy of the public in our attempt to vindicate our privileges. It may be the prediction so confidently made, that the great measure for altering the constitution of this house would conciliate public opinion may be unfounded. I was no party to that change. I confess I expected its failure . . . . . Sir, I shall conclude my vindication for having so long occupied the time of the house by an extract from a speech delivered by Mr. Crewe at an early period of our history when the liberties of the house of commons were threatened." Mr. Crewe, in encouraging the house to preserve its privileges, said, in simple but emphatic language—

"I would not have spoken about our privileges, if the thing questioned were only matter of form and not of substance; but this is of that importance to us, that if we should yield our liberties to be but of grace, these walls that have known the holding of them these many years would blush; and therefore, we cannot, in our duty to our country, but stand upon it, that our liberties and privileges are our undoubted birthright and inheritance."

The house then divided, when there appeared for the motion 205; against it 90:—majority 115.

Lord John Russell afterwards moved, that the sheriffs be called in, who were accordingly brought by the sergeant-at-arms to the bar of the house dressed in their scarlet robes. The speaker then communicated to them the resolution which the house had come to, and stated, that if they wished to say anything, the house would hear them.

The sheriffs bowed and withdrew without speaking.

Lord John Russell then moved, that the sheriff of Middlesex having been guilty of a breach of the privileges of this house, be committed to the custody of the sergeant-at-arms.

Mr. Sergeant Jackson rose, and moved the adjournment of the house, in order, as he said, to give the house time to recover its senses, without taking a step which appeared to him to be gross injustice. This however was negatived by a majority of 103.

Afterwards, however, the further discussion of the subject was adjourned until the next day, when the sheriffs were ordered to be in attendance.

On the following day, Jan. 21, Mr. Fitzroy Kelly rose to present two petitions from the sheriffs, the prayer of which was the same, expressive of the sorrow they felt at having incurred the displeasure of the house, and stating that in acting as they had done, they did so in the belief that it was their duty towards their sovereign and the court of Queen's-bench, whose sworn officers they were. The petition prayed that they might not be amerced nor imprisoned for having honestly endeavoured to discharge the duty cast upon them by law, and according to what they in their conscience believed to be the solemn obligation of an oath.

Mr. F. Kelly then moved, that the petitions be forthwith taken into consideration. This gave rise to a long discussion, the result of which was, that the motion was negatived by a majority of 111; the ayes being 99, and the noes 210.

Lord John Russell immediately moved, that the sheriffs having been guilty of a breach of the pri-

vileges of the house should be committed to the custody of the sergeant-at-arms, and that the speaker do issue his warrant accordingly.

Upon this the house divided, and the motion was carried by a majority of 101.

Lord John Russell then moved, that the order with respect to the sheriffs be discharged. The order was discharged accordingly. The noble lord then moved, that Thomas Burton Howard the attorney of Stockdale in the cause be called to the bar. Mr. Howard appeared at the bar, and on being asked by the attorney-general whether he was not concerned in the action of Stockdale *v.* Hansard; Mr. Law objected to the question, and ultimately Mr. Howard was ordered to attend the house the following day. When lord John Russell moved, that Thomas Burton Howard be called in—

Sir Edward Sugden immediately moved as an amendment, the addition of the words "to be forthwith discharged." This gave rise to an animated debate, in which Mr. Sergeant Talfourd, Mr. Darby, Mr. Pemberton, Mr. Sergeant Jackson and others, supported the amendment, which was opposed by the attorney-general, sir Robert Peel, Mr. Pigot (the solicitor-general for Ireland), and sir Charles Grey.

The house afterwards divided on the amendment, which was carried in the negative by a majority of 118; the ayes being 92, and noes 210.

Mr. Howard was then called in, and in answer to a question from sir E. Sugden, said, that if he had by his conduct incurred the displeasure of the house, he deeply and most honestly regretted it.

Lord John Russell then moved, that Mr. Howard be discharged, on the ground that he was disposed to make due submission to the house, and to express his sorrow for the course he had pursued. Sir Robert Peel, however, suggested that it would be better that the speaker should be instructed to inform Mr. Howard that he had been guilty of a breach of their privileges; but that, as he appeared desirous to submit, they did not wish to proceed to extremities, but cautioned him against any proceeding of a like description.

Upon this the attorney-general rose, and moved as an amendment to the original motion, that "Thomas Burton Howard having been guilty of a breach of the privileges of this house, and having expressed his regret for the same, be now called to the bar and reprimanded by Mr. Speaker."

Lord John Russell then said, that if he did not know that it was a request that would be denied him—he would wish to withdraw his motion. Certainly, upon comparison of the two, he preferred the amendment.

On a division, the original motion was lost by a majority of 110.

Mr. Howard was afterwards called in, and shortly reprimanded by the speaker.

CHAPTER III.

Writ of Habeas Corpus served on the Sergeant-at-Arms—Resolution of the House of Commons thereon—Appearance of Sergeant at Arms with his return in the Court of Queen's Bench—Court holds return sufficient and remands the Sheriffs—Public feeling much excited—Fourth Action commenced against Messrs. Hansard by Stockdale—Motion that Howard be ordered to attend the House—Motion by Mr. Darby for Discharge of Sheriffs negatived after a long Debate—Howard committed to Newgate—Renewed discussion respecting Printed Papers—Mr. Sheriff Wheelton discharged on account of Ill Health—Motion for Discharge of Mr. Sheriff Evans negatived—Fifth Action brought by Stockdale against Messrs. Hansard—Proceedings in the House thereupon—Committal of Howard Jun., and Pearce, to Custody of the Sergeant-at-Arms—Examination of Mr. Freeman the Medical Attendant of Mr. Sheriff Evans—Examination of Dr. Chambers—Motion for discharge of Sheriff negatived—Lord John Russell moves for leave to bring in a Bill for Publication by House of Printed Papers—Opposed by Solicitor General—Leave granted by a large Majority—Motion of Sir James Graham for Discharge of Mr. Sheriff Evans until 6th of April, carried—Actions by Howard—Second reading of Lord John Russell's Bill—Bill passes the House of Commons—Bill in House of Lords—Remarks of the Duke of Wellington—Amendments of the Lords agreed to by the Commons—Bill receives the Royal Assent—Discharge of Stockdale and Howard from Custody—Termination of the Subject.

ON the 24th of January, sir William Gossett, sergeant-at-arms, appeared at the bar of the house, and said, that he had last evening been served with a writ of *habeas corpus* from the court of Queen's-bench, commanding him to bring up the bodies of William Evans, esq., and John Wheelton, esq., then in his custody. He wished to be instructed by the house how he was to act.

The attorney-general rose and said, that he had no hesitation in advising the house to direct the sergeant-at-arms to return to the court of Queen's-bench, that he held these two individuals in custody by the warrant of the speaker. That was the safe, the dignified, the constitutional course. Let it not be supposed that thereby they submitted their privileges to a court of law. It had been deter-

mined by a long series of authorities that that House had the power to commit for contempt, and that when it did so commit, no court of law whatever had the power to inquire into the cause of the committal. He apprehended that on the warrant being read, the court of Queen's-bench could do nothing else than say that the prisoners must return to the custody whence they came. He then moved to the effect that the sergeant-at-arms should be instructed to return, that he held the bodies of the sheriffs by virtue of a warrant under the hand and seal of the speaker issued by the authority of the house of commons for a contempt of a breach of the privileges of that house. After a few words from Mr. Godson and Mr. Creswell, this motion was agreed to.

On the next day, January 25, sir William Gossett appeared in the court of Queen's-bench with the two sheriffs in his custody, who were dressed in their robes of office. Their situation excited a lively interest, and the court and its passages were crowded to excess. While proceeding from the apartment where they had been confined to the court, they were loudly cheered by the crowd of persons assembled who seemed to feel the utmost sympathy for their disagreeable position. This was about four o'clock in the afternoon, and at the time when sir William Gossett with his prisoners reached the court the bench was empty; the whole of the fifteen judges having been engaged during the day in hearing the point argued which had been reserved at the trial of Frost, Williams, and Jones, for high treason at Monmouth. In a short time, however, lord Denman, Mr. Justice Littledale, Mr. Justice Williams, and Mr. Justice Coleridge, took their seats, and sir William Gossett immediately handed in his return.

Counsel having been called upon, it was ably contended by Mr. Richards, Mr. Watson, and Mr. Kennedy, on behalf of the sheriffs, that they were entitled to their discharge—that the court would take cognizance of the particular breach of privilege, of which it was alleged they were guilty; and as it had previously decided against that privilege, it would release those who had merely obeyed in the execution of their duty its own orders. The court, however, thought otherwise. The judges gave their opinions *seriatim*, and held that the return to the *habeas corpus* was good and sufficient—that they could not *presume* anything, but must take it that the sheriffs had in some way or other committed a breach of the privileges of the house of commons, and that therefore they could only remand them to the custody of the sergeant-at-arms. It was now half-past eight, and sir William Gossett retired from the court with the sheriffs in his custody.

The feeling shown on this occasion against the imprisonment of the sheriffs was very strong, and the members of the bar appeared to be almost unanimous in condemning the course adopted by the house of commons.

On the 27th of January, lord John Russell gave notice to the house that he had received a petition from Hansard, stating, that a fresh action had been commenced against them by Stockdale, and that a writ of summons had been served upon them on the 25th of January by Thomas Burton Howard as attorney for Stockdale.

The noble lord moved, that "Thomas Burton Howard be ordered to attend the House forthwith." This was carried by a large majority.

On the 3rd of February, the messenger of the house appeared at the bar, and stated that his efforts to find Mr. Howard had been perfectly abortive. Nothing further, however, was resolved on, than that the messenger should continue to execute the order of the house.

Subsequently in the course of the same evening, Mr. Darby brought forward a motion, that William Evans, esq., and John Wheelton, esq., be discharged from the custody of the sergeant-at-arms.

This gave rise to a long and animated debate, in the course of which,

The attorney-general opposed the motion, and said, that it seemed quite clear to him, that until a petition was presented from the sheriffs—till they made some concession—till something was done to vindicate the privileges of the house—the house would be laughed at, if after merely a few days confinement, it allowed the sheriffs to be discharged, and proceed in triumphal procession from the house to the city.

Sir William Follett wished to make some observations to the house after the speech of his hon. and learned friend the attorney-general, because he thought that that speech pointed to no termination of their proceedings. He said, that a broad distinction presented itself to his mind between the power and right which he believed the house possessed, of communicating to the public the whole or any part of their proceedings without fear or question, and the attempt which the House was then making to make use of its power of committal, which was vested in the house for totally different purposes, as a means of interference with the usual and ordinary course of the administration of justice by the courts of law. Although he (sir W. Follett) was himself a member of the committee of 1837, by which those resolutions were reported to the house which had been the subject of so much discussion, he did not hesitate to say, that the proceedings which had subsequently taken place as well as the more mature inquiry and consideration which he had been compelled to give the subject, made him regret that those resolutions ever were reported by the committee, or ever received the sanction of the house. With regard to the power itself—the power of the house to communicate to the people the whole or any part of its proceedings—he was perfectly satisfied by the precedents collected by the committee, that it was a power which the house had exercised for a long series of years. It had been the practice of the house, beyond doubt, for two centuries. Independently of that, and looking at the subject as a constitutional question, looking at the power of the house as one branch of the supreme legislature of the country—at its functions as the grand inquest of the nation—he never could entertain any doubt of its having authority to communicate to the people the whole of its proceedings. He could not but lament when the matter of publication was brought before the courts, and the action was defended by the house, that the judges did not, as he thought they ought to have, give credit to

that house for not being actuated by any impure or improper motives; and the judges also ought to have given them credit for this —that when there was a publication by their order, they had no other object in view than the public good. With regard to the order made by the house for the sale of its publications, although in a legal point of view it made no difference, yet it was a circumstance which led to very great misapprehensions; and, as he thought the powers and privileges of the house should be supported as much as possible by public opinion, he must say he should be glad were the resolution abandoned, and the order for sale rescinded. As to the resolution come to by the house in the case of Polack, he must say for himself that he was no party to that resolution; he was not able to attend at that time to his duty in parliament, and he could not bring himself to approve or confirm it, nor sanction any proceeding that was a necessary consequence of it. Nor was he able to vote for any of the committals which had taken place, for he thought that they were attempting to enforce the privileges of the house in a manner that could not be maintained, and to assume powers which the constitution did not give them, and which he thought would be ineffectual.

No doubt it was true that this house was the exclusive judge of its own privileges. He did not deny it. No doubt the house was the exclusive judge of a breach of its own privileges, and had the power of committal; but then he did not think that if a servant of the house should be questioned for any act done under their orders, that they had a right to deprive the courts of law of their jurisdiction over that servant. Occasions might occur in which questions could arise concerning their privileges, and which might become subject to the decisions of courts of justice. If they were, how were they to be decided? Like every other matter of law, the judges were to decide on them. If honestly and conscientiously their judgment was given against the privileges of the house, then they were not to set it aside by summary interference on their part, but they were to bring a writ of error. He asked his hon. and learned friend, the attorney-general, how could this case terminate, and to what end was it that he looked. Let them trace the matter further; civil actions were now pending; but why might there not be a criminal proceeding in consequence of all they were doing? Supposing a life to be lost in the execution of their orders, that their officer was killed, or that the officer killed another, what tribunal then would investigate that transaction? The house of commons, in such a case, would neither have the power to investigate nor punish. The case then must be tried before the ordinary tribunals. Could it then be said, after that, that the courts of law should have no jurisdiction over matters affecting the privileges of the house of commons. They were endeavouring to do that which was impracticable, and they were attempting to apply their powers to purposes for which they were not given nor intended, and for which they could not be effective. The hon. and learned gentleman concluded a most able and argumentative speech, by saying, that if this matter should be

pressed to a division, he should feel it his duty to vote for the immediate discharge of the sheriffs.

The solicitor-general followed and made a most vigorous speech against the motion for the release of the sheriffs. He said, that at the time when in the first instance he had sketched the draft of a report (in 1837) he sent it to his hon. and learned friend (sir W. Follett); he sent a copy also to the attorney-general, and a third copy to sir F. Pollock. Suggestions were made by each of his hon. and learned friends, and he had adopted them all. He could not but express his regret with respect to the course adopted by the house, that it had not now the sanction of his hon. and learned friend (sir W. Follett). He said, that the judgment of the court of Queen's-bench had been given in opposition to the whole stream of authority during a long course of time. Authorities were mis-stated, (no doubt, unintentionally), important points were passed over, and he would venture to say, that altogether it was as little warranted in its conclusion as any judgment that ever was pronounced.

The court of Queen's-bench said, that the privileges of the house extended to all that was essential to the due discharge of their functions; but who was to decide what was essential to that purpose? Which was the fittest tribunal to decide that question, the court of Queen's-bench or the house of commons? The house of commons existed because it had the power to defend itself from assault. The inability to attack it took away the desire to do so. To surrender that power would be to forfeit the means of doing its duty to the public. That power was its privilege. Among the judges who held that the courts of law had no jurisdiction to judge of privilege were first, the twelve judges in Thorpe's case. It was laid down also by Coke, by Pemberton, by Jones, by Wright, by Foster, by De Grey, by Tenterden, by Mansfield, by Fortescue, by Erskine, by Kenyon, by Powell, by Gould. From each of these judges he could produce the distinct statement, that the house was the judge of its own privileges, and that the courts of law had no jurisdiction. His (the solicitor-general's) humble advice to the house would be this. Manifest to those who now treat you with contempt, what is the extent of your power till your privileges are vindicated. Do not discharge the sheriffs till they restore the money. He could propose no other limit to their imprisonment than that. "This," said the hon. and learned member in conclusion, "I am sure of, that you are now in the direct well-founded course of precedent and parliamentary law. You may go out of it if you please. Your ancestors found it effectual: if it fail with you, it can only be because you will not follow their manly example."

The debate was afterwards adjourned.

On the next day, February 4, the deputy sergeant-at-arms stated, that Mr. Burton Howard could not be found.

Upon which lord John Russell said, that as there was sufficient in this case to show that Mr. Howard wished to evade the order of the house, he should move that Thomas Burton Howard be taken into the custody of the sergeant-at-arms and brought to the bar of the house, and that Mr. Speaker

do issue his warrant accordingly.

This motion was carried.

On the 6th of February the sergeant-at-arms announced that Thomas Burton Howard was in custody. He was accordingly ordered to be brought to the bar, and having been examined, and having admitted that he acted as attorney for Stockdale, lord John Russell moved, that he (Burton) had been guilty of a high contempt of the privileges of that house. This motion was carried by a majority of 102.

And lord J. Russell then moved, that Mr. T. B. Howard should be committed to her majesty's gaol of Newgate. And that Mr. Speaker do issue his warrant accordingly.

Upon this the house again divided, and the motion was carried by a majority of 103.

The debate respecting printed papers was afterwards resumed on the 7th of February, when the same topics were again handled, and the same line of argument taken by the opposite parties respectively.

In the course of the discussion, sir F. Pollock said, that he had no hesitation in avowing at once, that in his judgment the house did possess perfectly the entire privilege on this question which it claimed. He thought they possessed it on the ground that it was essential to the due discharge of their duties. He admitted that the judgment of the court was not according to law; that was his opinion; but he did not think the committal of the officers the proper mode of correcting the error; it was a practice which not being addressed to the intellect and the understanding, belonged rather to a barbarous age than the present day. The house was at war with the court of Queen's-bench, let them conduct it manfully, go direct to their object, or rather avail themselves at once of their acknowledged constitutional power—call for a conference with the other branch of the legislature; and finding that committals must fail, see what could be done to remedy the evil by act of parliament. They were now opposed in this collision by three-fourths if not nine-tenths of the bar; they were opposed, he believed, very much throughout the country; but if they passed an act of parliament, declaring the law, every one of those parties would willingly obey it.

Lord John Russell, after expressing his determination to oppose the motion for setting the sheriffs at liberty, said, that amongst the various courses which had been suggested on this matter, was that of calling in the aid of legislation, to declare and establish the privilege of the house. His opinion was, that if such a declaratory law were to be obtained, it would be perfectly consistent with what had been done in former times; and if carefully framed, it might secure the necessary power of the house without injury to their privileges. A communication had been made to him by the lord chancellor, who, after looking calmly and dispassionately into the matter, expressed his opinion that the privileges of the house ought to be maintained; but that he did not think that it could be done in the present instance without a legislative measure. Upon the whole, he (lord John Russell) thought that the house should not go on with these commitments without first endeavouring to ap-

ply a remedy to the existing difficulty.

Sir Robert Peel, in the course of his speech, said, that he believed they were now arrived at that point when her majesty's ministers must as an united government submit to the house some comprehensive course for extricating them from the difficulty. He would not object to a declaratory act which, if passed immediately would have the effect of stopping the action that had just been commenced; an enabling bill would admit that they had not the inherent power. The noble lord (lord J. Russell) was responsible for the peace of the country, and if the noble lord told them he hoped to pass a bill which should make their powers more complete, that course should meet with his (sir R. Peel's) concurrence.

The house then divided, on the question that the sheriffs be discharged; which was negatived by a majority of 71; the ayes being 94, noes 165.

On the 12th of February, sir E. Knatchbull stated to the house, that the medical gentleman who attended on Mr. Sheriff Wheelton assured him (sir E. Knatchbull) that if Mr. Wheelton were kept longer in custody it would endanger his life. The medical attendant (Mr. Brookes) was then called in, and said, that it was his decided opinion, that Mr. Wheelton's life would be endangered if he continued longer in confinement. Accordingly, Mr. Sheriff Wheelton was ordered to be discharged without paying his fees.

On the 14th of February, Mr. Alderman Thompson moved, that Mr. Sheriff Evans be discharged from the custody of the sergeant-at-arms, on the ground that his health had materially suffered from the close confinement in which he was placed. This motion, however, was lost, by a majority of 73.

Subsequently on the 17th of February, lord John Russell informed the house that he had another petition to present from Messrs. Hansard, to the effect that a fifth action had been commenced against them by Stockdale for the same cause as before, and praying to be directed as to the course they should pursue. The noble lord then moved to the effect that Stockdale, by commencing this fresh action, had been guilty of a contempt of the house and of a breach of its privileges, and that the sheriffs, under-sheriffs, and others who should aid in the prosecution of the said action would be guilty of a contempt of the house, and of a violation of its privileges, and would subject themselves to the severe censure and displeasure of the house.

The motion was carried by a majority of 71.

Afterwards Mr. James Hansard was called to the bar, and interrogated as to the fifth action which had been commenced against him. In answer to a question from Mr. Law, he said that he had some copies of the publication containing the alleged libel, but that it was considered out of print, as they had none but the reserved copies, it being the custom when the number of copies in hand was reduced to fifty, to stop the sale, and reserve those to be issued only on special orders.

During the discussion which ensued, colonel Sibthorp said that he had lately been down in the country, and at a public dinner at which he had been present, he

without any hesitation proposed the health of the sheriffs with three times three—ay, and it was drunk too with great applause.

There is no doubt that the public feeling was excited very strongly against the course pursued by the house of commons, and the utmost sympathy was shown for the situation of the sheriffs. The streets of London had placards on the walls expressive of the popular indignation on the subject, and the press almost without exception loudly denounced the proceedings of the house as unconstitutional and tyrannical.

On the following day (February 18), the sergeant-at-arms announced that Mr. Thomas Howard, jun. was in attendance, and he was placed at the bar.

The attorney-general moved that he had been guilty of a breach of privilege, upon which Mr. Duncombe moved an amendment to the effect that it is expedient that a joint committee of both houses of parliament shall be appointed for the purpose of considering the best mode of securing to both houses the privilege claimed. This amendment was seconded by Mr. Leader, the member for Westminster, who said that up to a recent period he had voted with the noble lord (lord John Russell) on all those questions of privilege, but he must say that public opinion was not with them on this occasion. He would assert, that one could not meet with any persons out of that house except the hangers on of government, who did not say that this house was acting tyrannically, and that it would be beaten at last.

Sir Robert Peel said, that if there was no other remedy against these actions both during the recess and the session, than by consuming the public time day after day, he should say that the time was come when it would be perfectly consistent with a due regard to their own dignity and the public interests, if they attempted to find a substitute by enactment, at the same time reserving to themselves, in case that enactment should fail, the power they now exercised of vindicating their privileges by their own proper and intrinsic powers.

The motion having been carried, the attorney-general moved, that Thomas Howard, jun. be committed to the custody of the sergeant-at-arms. This was carried by a majority of 93.

Thomas Pearce was then called to the bar, and being examined by the speaker said, that he was but a mere copying clerk in the service of Mr. Howard, and that his family would have no means of support if he were committed to prison by order of the house. The solicitor-general, however, moved, that he having been guilty of contempt, be committed to the custody of the sergeant-at-arms. This was carried by a majority of 80.

On the 3rd. of March, viscount Mahon stated to the house, that Mr. Freeman, the medical attendant on Mr. sheriff Evans, had informed him that the life of that gentleman would be in danger from further confinement. He moved that Mr. Freeman be called in and examined.

Mr. Freeman was accordingly called in and examined, and the next day viscount Mahon said, that Mr. sheriff Evans had that day received a professional visit from Dr. Chambers, who was then in attendance. After some opposition from lord John Russell to the

motion that Dr. Chambers be called in and examined, that medical gentleman was called in, but as the house did not think that his evidence as to the state of Mr. Evans's health, rendered the discharge of that gentleman necessary, the motion of lord Mahon, that Mr. sheriff Evans be forthwith discharged, was lost by a majority of 41—the numbers being, ayes, 84; noes, 125.

On the 5th of March lord John Russell moved for leave to bring in a bill relative to the publication by the house of printed papers. He said in the course of his address to the house, that he could not but see at all periods of our history, whatever might have been the subject, whether it regarded the privileges of parliament or the rights of the crown, or any of the constituted authorities, whenever any great public difficulty had arisen, the parliament in its collective sense, meaning the crown, the house of commons, and the house of lords, had been called in to solve those difficulties. He did not intend to propose a measure that would impose any restriction on the power or right of publication by that house—on the contrary, he should take care that it was stated in the preamble of the bill that the privilege of the house, as well in this as in any other respect was known only by the interpretation of the house itself. He intended to propose that publications authorized by either house of parliament should be protected, and that merely the certificate of such publication being authorized, signed for the house of peers by the lord chancellor, or by the speaker of that house, and for the house of commons by the speaker should be held to be a restriction of any proceedings for such publications in any court of common law. The noble lord concluded by moving for leave to bring in a bill to give summary protection to persons employed in the publication of parliamentary papers.

The solicitor-general rose to state shortly to the house why he found it to be his duty to oppose the motion of the noble lord. After reflecting on this subject, he could not but feel the most painful apprehension as to the result that he feared would follow from the course proposed. He cautioned the house to take care, since the judgment of the court of Queen's bench had been pronounced, that they did not adopt any course by which it might appear that they gave judgment against themselves in pronouncing such an opinion as admitted in any way the validity of that judgment. By passing a legislative measure to stop future proceedings in a summary manner, the inference would be that the house admitted that it could not set up its order as a plea in bar, but that it was found that something further was necessary, and that they would not have left the judgment of the court unimpugned if they could have dissented from it. Therefore it was, that he contended that the introduction of the bill into the house would only tend to increase the present embarrassments. His objection to the bill was, that when they did not venture to assert their privileges—when they did not express the slightest dissent from the judgment pronounced by the court of Queen's bench, they in effect affirmed that judgment for practical purposes. On the ground, therefore, that they could not legislate effectually, even on their own views, that they

could not by legislation relieve themselves from the embarrassments in which they were involved —that they had no resource but in a firm reliance on their own power and authority—on the ground that the bill, while it would relieve them from some of their difficulties, would greatly increase others and create new ones; he submitted to the house that it was inexpedient to attempt meeting those difficulties by legislation.

Lord Stanley, sir W. Follett, and sir Robert Peel spoke in favour of the introduction of a bill; and lord John Russell replied to some of the arguments which had been advanced in opposition to his motion. He denied that there was any thing in his bill that went to confirm the judgment of the court of queen's bench. The preamble of the bill stated that it was necessary that the house of commons should have the power of directing the publication of their own papers and proceedings, and it then provided that those publications should not be questions in the courts of law. He thought that the whole argument of his hon. and learned friend the solicitor-general was founded on this, that by introducing a bill and consenting to legislate at all upon the subject of any privilege, that privilege would be thereby impaired and destroyed. If that argument were true, then both the privilege and the liberty of speech, and the power of the speaker to act as the officer of the house, without being questioned, would be impaired if not destroyed; because with respect to those privileges, the house had consented that there should be decisions of the house of lords:—they had asked the house of lords to assist them when any particular case seemed to require the intervention of the legislature. He should have stated that he had inserted a clause in his proposed bill to put a stop to the proceedings which were now pending against the officers of that house connected with the case of Stockdale and Hansard.

The house divided, and the motion of the noble lord was carried by a majority of 149. The Ayes being 203; Noes 54.

Immediately after this division, sir James Graham rose, and after prefacing the motion by a few remarks relative to the state of health of Mr. Sheriff Evans (the only sheriff remaining in custody), moved a resolution to the effect that the sergeant-at-arms should be directed to take bail of Mr. Sheriff Evans for his attendance in the house of commons during the present session of parliament whenever he should be thereto required by any order of the house.

Lord John Russell thought that it would be better to discharge the sheriff for the present, and for a limited time fixing a day—say three weeks hence, for his return, on the ground of the evidence which had been given by Dr. Chambers, than to adopt the motion of sir J. Graham.

Upon this sir James Graham asked permission to withdraw his original motion, and to substitute another to the effect, "that in consideration of the evidence of Mr. Freeman and Dr. Chambers with respect to the state of health of Mr. Sheriff Evans, he be discharged from the custody of the sergeant-at-arms, and directed to attend at the bar of this house upon Monday, the 6th of April."

The house divided on the question, that the question as amended by sir James Graham be put, and

it was carried in the affirmative by a majority of 82.

On the question that the resolution be agreed to, Mr. T. Duncombe moved as an amendment, that the words directing the attendance of the sheriff on the 6th of April next be omitted; but this amendment was negatived by a majority of 87; and the sheriff was ordered to be discharged and to attend at the bar of the house on April the 6th.

On the 12th of March, the sergeant-at-arms appeared at the bar, and informed the house that notices of action had been served by Thomas Burton Howard on several officers of the House (who had been engaged in the endeavour to apprehend Howard in pursuance of the speaker's warrant, and had entered and searched his house for that purpose).

Lord John Russell moved, that the subject should be taken into consideration to-morrow (March 13), when the noble lord moved the same resolution as had been agreed to on the 17th of February, with the alteration only of the circumstances suited to the present case. This resolution was carried by a majority of 65.

On the same evening (March 13) lord John Russell had previously moved the order of the day for a committee on the printed papers bill, when after considerable discussion, and the adoption of several amendments, and rejection of others, the bill was agreed to.

On the 17th of March, sir Robert Inglis presented a petition from the printers of the *Times* and the *Morning Post* newspapers, praying that such protection as the house thought it necessary to give to their own printer and publisher, might be extended to them. The hon. baronet said, that if the house gave protection to their own printer, it was hard to refuse it to those who merely transcribed portions of what was printed and published by him.

Afterwards, on the 20th of March, on the motion that the printed papers bill be read a third time,

Sir R. Inglis moved the insertion of a clause to the effect, "That any printer, publisher, or proprietor of a newspaper, against whom an action should be brought for the publication of any of the proceedings of the house might apply for a certificate (from the speaker, or lord chancellor) stating that the proceedings in question were published by authority of the house of lords or house of commons, as the case might be; and having obtained the same might apply to a judge at chambers or elsewhere, and obtain from him an order to stay any civil or criminal process which might have been issued against such individual for such publication in his newspaper." The hon. baronet finding that this proposition met with little or no support, withdrew the motion.

The bill afterwards in the course of the evening passed.

On the 31st of March, the sergeant-at-arms appeared at the bar and acquainted the house, that on Saturday last the assistant-sergeant and four other officers of the house had been served with notice, that an action had been commenced against them in the court of Queen's Bench at the suit of Thomas Burton Howard.

The damages in this action were laid at 1000*l.*

The attorney-general rose and said, the question involved in this

case was, whether the officers of the house had been guilty of any excess in executing the warrant of the house; and this was a question which the house, and the house only had a right to enquire into. The hon. and learned Member then instanced the analogous case of the Court of Chancery, where one of its own officers was charged with excess in the execution of his duty. He thought, however, that as the privilege of the house had not been called in question by the plaintiff in this action, that the house should resolve that the servants of the house, being the defendants in this case, should be allowed to appear and defend the action. He thought there must certainly be a verdict for the defendants. He should therefore conclude with a motion to that effect.

Viscount Howick protested against what he called "this humiliating and injurious course;" and the solicitor-general said, that it was a duty which he owed himself, to give his unqualified and utter dissent to the course then pursued by his hon. and learned friend, the attorney-general. He did so with regret; but he did it from a sense of paramount self-justice.

The motion was carried in the affirmative by a majority of 91. The Ayes being 142; Noes 51.

The bill was afterwards sent up to the house of lords; and on the 6th of April it was there read a second time. On that occasion the duke of Wellington said, that he hoped, that in the committee on the bill, some means would be found of leaving the publication by sale in the state in which it was by the common law previous to the resolution of 1835. What he insisted on was, that that house and the other house of parliament should not become libellers by the authorised sale of their papers. He would vote for the second reading of the bill and go into committee upon it with a view of amending it.

Afterwards, when the report on the printed papers bill was brought up by lord Shaftesbury, lord Wynford proposed an amendment to prevent the sale of papers by the house of commons. This caused much discussion; and the duke of Wellington said, that their lordships might decide as to them seemed best, but he thought, that the house should adopt some measures to prevent the house of commons from becoming the only authorised libellers in the country.

Lord Melbourne, however, strongly pressed upon their lordships the consideration that the effect of the amendment would be to censure the house of commons, and would destroy the great end and object of the measure; namely, a termination of the unfortunate collision of authorities which had occurred.

Lord Wynford afterwards withdrew his amendment.

Some amendments were made by the house of lords in committee, and the bill was sent down to the commons, where, on the 13th of April, after some discussion, the amendments of the lords were agreed to; and on the 14th of April the royal assent was given by commission to the bill.

On the 15th of April, sir R. Inglis moved, that the order for the appearance of Mr. Sheriff Evans at the bar of the house be forthwith discharged, which was agreed to; as also were motions for the release of Mr. Howard,

jun., and Mr. Pearse; but when sir R. Inglis moved the discharge of Thomas Burton Howard, sen., this was negatived by a majority of 20; the Ayes being 22: Noes 42.

A similar motion, with respect to Mr. Stockdale, was negatived without a division.

Afterwards, however, on the 15th of May, Mr. T. Duncombe rose to move for the discharge of J. J. Stockdale and T. B. Howard from the custody of the gaoler of Newgate, and the motion was agreed to.

Thus terminated this much agitated and deeply important question. It will be seen, that the opinions of the ablest lawyers in the house were in favour of the particular privilege of free publication claimed by the house, as essential to the due discharge of its functions as a constituent branch of the legislature; but many of them dissented from the doctrine that it was a breach of their privileges to bring them under the cognizance of a court of law; and above all they thought that having once submitted the case to the court of Queen's Bench, by pleading in the action, they were bound to respect the judgment pronounced by that court; and if they considered it erroneous to bring it under the review of a court of error in the legal, and constitutional mode, and not proceed by arbitrary imprisonment against officers who merely acted in their ministerial capacity; and who would have been exposed to the process of attachment, if they had refused to obey the writs which the court called upon them to execute.

CHAPTER IV.

Want of Confidence in Ministers—Sir J. Yarde Buller's Motion—Riots at Birmingham and Newport—Mr. Owen's introduction at Court—Alderman Thompson—Sir George Grey attacks the Opposition—The Speech of Mr. Dawson at Devonport—Want of unanimity among the Tories—Mr. Colquhoun—Mr. Gisborne—Mr. D'Israeli—Mr. Litton—Lord Howick's Explanation of his Reasons for leaving the Administration—Eloquent Speeches of Sir J. Graham and Mr. Macaulay—Mr. Fox Maule—Mr. Ward—Lord Stanley—Financial State of the Country—Lord Morpeth—Reduction of Troops in Ireland—Mr. O'Connell—Sir Robert Peel states the grounds on which he would act whether in Office or in Opposition—Lord John Russell.—Majority against the Motion.

IN consequence of the evenly-balanced state of parties, to which we have before referred, the greatest possible interest was felt throughout the country, respecting a motion of want of confidence in her majesty's ministers, of which sir John Yarde Buller had given notice at the commencement of the session, and, indeed, excepting the discussions which took place on the privileges of the house, the debate to which this motion gave rise, was the most important, and the most protracted, which occurred during the whole period of the session. Sir John Yarde Buller, in his opening speech, on the 28th of January, assigned as the chief ground on which he refused his confidence to the government—the disturbed and unsatisfactory state of the country—a state which he mainly ascribed to the system of popular agitation which the ministers had nurtured and fostered during the two preceding years. tor example, he cited the riots in he Bull-ring, at Birmingham, and the armed masses of the people at Newport, marshalled and led by a magistrate appointed by the government. In Ireland, for several years, a similar system had been pursued and so far were the Ministers from checking or discouraging the chief author of these most unconstitutional proceedings, that his family and connections had been placed in situations of emolument, and he had himself been received as a guest at the lord-lieutenant's table. Another ground which rendered her majesty's ministers, in his opinion, undeserving of the confidence of the country, was their apparent coalition with those who had pursued an uniform line of hostility to the established church of this realm,

in bringing forward a measure in which they plainly entered into the views of the party to which he had referred, and the object of which was to deprive the church of the funds necessary for the maintenance of its fabric.

Sir J. Y. Buller next called attention to their conduct in reference to the patronage at their disposal. On first taking office, they had declared, that they were to put an end to all pensions and sinecures, and they had endeavoured to bring all former governments into disrepute by denouncing their corruption and extravagance in these matters. They also passed a resolution, that 1,200*l.* a-year, was the whole amount which her majesty could distribute among her subjects to encourage literary attainments, improvements in art, and discoveries in science. And yet, in spite of all their professions, they have really made a more corrupt use of the patronage of the crown, than any of the governments which preceded them. Only the other day, they granted 1,000*l.* a-year as a pension to a gentleman who retired from a sinecure office, in order that he might be succeeded by the retiring chancellor of the exchequer.

Another ground of complaint, was the uncertainty attending all their measures. The noble lord (lord J. Russell) voted last session against the introduction of the vote by ballot, and regretted, that the hon. member for Edinburgh should not have more maturely considered his opinions on this subject. And now, what was the case? The hon. member for Edinburgh (Mr. Macaulay) was actually secretary at war, and a member of the cabinet.

There was another point of some importance to which the hon. baronet called the attention of the house before he concluded, which was the recent introduction to the queen, by lord Melbourne, of Mr. Owen, an individual of infamous notoriety, on account of the pernicious doctrines which he had been the means of disseminating among the people. At the meetings of this person and his associates, our readers are perhaps aware, the most immoral and baneful principles had been openly avowed—principles, indeed, which struck at the root of all social order and happiness. It could not, therefore, in our opinion, be otherwise than highly censurable at all times for a minister to have given countenance to the authors of such opinions, but, surely, it was peculiarly so in the prime minister of a young and virtuous queen just about to enter the holy state of matrimony. Such a presence was the last which should have been contaminated by the introduction of the originator of these detestable theories.

The hon. baronet concluded by moving, "That her majesty's government as at present constituted, does not possess the confidence of this house," and the motion was seconded by alderman Thompson, who spoke from his personal knowledge of the districts in which the late serious outrages among the chartists had taken place, and which he had no hesitation in attributing, in great measure, to the continued tampering of her majesty's ministers with the constitution, by which that respect for established institutions, and that reverence for authority which formerly existed, had been altogether annihilated. So far was it from being true, that there was a want of employment in those districts,

that the demand for labour actually exceeded the supply, and that wages were at a rate unusually high. The instigators of the riots which had taken place there, had entirely different objects and purposes in view of a most alarming and dangerous character. It was no secret, that their object was to remodel the constitution of the house of commons, and to send men of their own grade in society to be their representatives—to do away with the property qualification, and, ultimately, by means of such a house of commons, to procure an equal distribution of every description of property. And who was the great expositor of these principles? A man who had received his nomination as a magistrate from the hands of the noble lord opposite.

A certificate had lately been issued by the lords of the treasury to the commissioners of the national debt, from which it appeared that for the year ending the 5th of January, 1840, there was a deficiency of money, amounting to nearly 1,000,000*l.* sterling, or in other words, they had an official declaration, that the expenditure of the country exceeded the income to that amount, and if, continued the worthy alderman, they also took into consideration, that since that certificate was published, the new arrangements at the Post-office had come into operation, they might anticipate a deficiency of at least another million, on the calculation of the most sanguine supporters of the new system. And that was not all the deficiency, the country must be prepared to expect. The China trade was stopped; a source of income which yielded on an average, an annual revenue of 3,500,000*l.*

Sir George Grey, in offering a direct negative to the motion, could not refrain from expressing his entire concurrence with one sentiment which had fallen from the worthy alderman. He most sincerely rejoiced, that the conservatives had at last mustered sufficient courage to abandon the course of policy which they had pursued for the preceding five years, and instead of waging a perpetual warfare of detail, had at last come boldly forward with a motion which brought under review the whole policy of the government, legislative and administrative, and demanded of the representatives of the nation, aye, or no, whether the government, as at present constituted, did or did not possess the confidence of the country.

The principal charge that had now been brought against the ministry was, that they had fomented chartism, and the late insurrection at Newport had been adduced in proof of it. This, indeed, seemed to have been a God-send to hon. gentlemen on the other side, and was, in fact, the only circumstance which afforded a shadow of foundation for thepresent motion. But could it be maintained, that the late insurrection in Wales was chargeable on the government? Was there any imputation on the mode in which they had dealt with it? Was there no ground for suspecting, that the real cause of complaint was, that while her majesty, in the speech from the throne, had lamented the existence of insubordination, and while the house in their address to the crown, had unanimously expressed their concern at these events, the government had not felt it necessary, as former governments had done, to

propose to parliament to increase the severity of the laws, or to commit to them any extraordinary powers for repressing or punishing the insurgents? They had relied on the efficiency of the existing laws, which it was their duty to administer, and those laws had been strictly, but, at the same time, mercifully enforced.

Sir George Grey then reverted to the charge grounded on the appointment of Mr. Frost, and contended, that the case was simply this. Shortly after the passing of the municipal corporations act, the noble lord had appointed an individual to the office of magistrate, who had since been guilty of an act of treason. The worthy alderman had wished it to be inferred, that his noble friend (lord J. Russell) had gone out of his way to appoint Mr. Frost, knowing him to be at the time, if not a traitor, at all events, a disaffected person, and wholly unfit to be trusted with the magistracy: whereas the noble lord had but followed out in the instance of Mr. Frost, the rule which he had laid down for the appointment of magistrates, when the corporations bill was before Parliament, viz., that he should in all cases, give attention to, if he did not absolutely adopt the recommendations of the town councils. The town council of Newport had recommended an addition to the magistracy, and had suggested two names to the secretary of state—Mr. Brewer, a gentleman whose sentiments were in direct opposition to those of her majesty's government, and Mr. Frost, who had been a warm supporter of the reform bill.

There seemed a disposition on the part of the gentlemen opposite to waive the consideration of Irish policy, and according to Sir George Grey, it was owing to the confidence which the Irish people obviously placed in the administration, and it was absurd to invite the attention of the house on so important an occasion, to the facts that the learned member for Dublin had dined at the lord-lieutenant's table, and that his son had been appointed to a place connected with the courts of law. The hon. baronet adverted *seriatim* to all the topics on which the preceding speakers had addressed the house, and certainly made a very able and ingenious defence of the general policy of the administration. After explaining away the objections to admiral Fleming's appointment to the head of Greenwich hospital, and to sir John Newport's pension, he began to carry his attack into the quarters of the enemy, and commented in very severe terms on a speech delived by Mr. Dawson, the brother-in-law of sir R. Peel, to his friends in the borough of Devonport. Mr. Dawson had been reported to have said as follows:—

"The most important subject of all was, undoubtedly, the corn-laws, and he had found in the progress of his canvass, that his opponents had misrepresented his opinions with regard to that subject. It had been said, that he had come there prepared only to look after his own interest as a landed proprietor, he thought such a mode of opposition was not creditable to those who set it up. This much he could say—it was far from the truth; for whatever might be his individual interests, he was prepared to sacrifice them, if he found they were opposed to the general good. He had gone

into houses where he had seen swarms of children and the mother had anxiously asked him how she could feed them. And the father toiled from morning till night, but could not supply sufficient for their wants. He had found this in a great many instances, and if he had any previous indisposition to the modification of the corn-laws, such a state of feeling would remove it. He begged to say, that on the call of the constituency he could not refuse to help them to get a cheap loaf."

Sir George Grey then went on to say, that Mr. Dawson also stated in the course of his canvass, that he was in communication with sir R. Peel on the subject of the election, and that he had just received a letter from him expressing deep interest in his success. From these circumstances the hon. baronet argued, that he was justified in inferring that sir R. Peel's sentiments on the corn-laws had undergone some change or modification, and observed in rather a cutting allusion to the Catholic Emancipation Bill, that it was not the first time an important change of opinion in the mind of the right hon. baronet had been first intimated through the medium of his right hon. relative. At all events, he had a right to inquire what course it was proposed to adopt in reference to the corn-laws, if the right hon. baronet should again be at the head of affairs. It had been objected that the present cabinet were not agreed upon this subject, but he doubted whether hon. gentlemen opposite were more united.

After congratulating the house on the successful administration of affairs in Canada, Jamaica, and India, respectively, the hon. baronet returned again to the attack, and drew a contrast between the opinions of lord Lyndhurst and sir Robert Peel; the former had, in a speech at the end of the preceding session, declared that the queen's government could not be carried on, so long as the representation of the country continued in its present form. Now, sir R. Peel and the party generally, seemed to pride themselves in a peculiar degree on their adherence to the reform bill. "Indeed," said sir G. Grey, "one can hardly help smiling at their new-born zeal for reform, and at the warm professions of attachment to the reform act so frequently heard from the other side of the house. The attachment is, however, evidently to the defects of that act; to whatever in it impedes its successful operation, and tends to deprive the people of some portion of the benefits which they anticipated from it. If any proposal is made for the improvement of that measure, or the removal of any faults in its machinery, hon. gentlemen opposite rise up in large numbers to declare their determination to maintain that act in all its integrity. Here, however, is lord Lyndhurst, one of the chief conservative leaders, maintaining that the reform measure is the great impediment to the progress of legislation. The question then is, are the opinions of lord Lyndhurst or those of the right hon. baronet, to prevail in the future cabinet.

These observations suggest another matter of some consequence. We have lately been engaged in an embarrassing conflict for the maintenance of our privileges, and the right hon. baronet (sir R. Peel) has taken apart in these proceedings which entitled him to the highest praise, and has justly secured to him

the warm admiration of the greater portion of those who sit on this side of the house. Single handed almost on that side, he has fought the battle of our privileges for which that house and the country owed him a debt of gratitude. But what support did his own party afford him in that course which he stated to be in his opinion essential to the due exercise of the functions of the house. It was amidst the cold looks and averted regards, if not the open opposition of those who profess to follow him as their leader, that he contended for the maintenance of privileges, which he declared he would rather abdicate his seat than abandon. What was the language of the hon. recorder of London (Mr. Law) on that subject. In one of those impassioned declamations with which he favoured the house, he imputed all the blame of the course adopted by the majority to the government, and when reminded of his mistake, he boasted that but a small fraction of the conservative party had been found in that majority. This then is the estimate formed of the right hon. baronet by those who professed to support him, of whom however did 'this small fraction of the conservative party consist?' It comprised besides the right hon. baronet, the noble lord the member for Lancashire (lord Stanley), the right hon. baronet the member for Pembroke (sir James Graham), the right hon. gentleman the member for Cambridge (Mr. Goulburn), the right hon. and gallant general the member for Launceston (sir H. Hardinge). Now the house would recollect, that these were the four members of this house with whom the right hon. baronet stated that he had conferred in May last, and who would have been members of his cabinet."

Sir George Grey, whose speech produced a considerable impression and was greatly applauded throughout by the supporters of the government, was succeeded in debate by lord Granville Somerset, who complained of the tone in which sir G. Grey had spoken of the late disturbance at Newport, and said he would appeal to any man connected with the county of Monmouth, be he whig or tory, whether it was not to the circumstance of giving Mr. Frost so much power and influence that had led to his resorting to those proceedings which had terminated so unhappily. The political opinions of that individual were not more obnoxious at the time of the late disturbance than they were in 1826, at the period when he received his appointment. And not only were his opinions notorious, but it was also well known that he had upon two occasions previously incurred the most severe censure of the chief justice of England. Was not the noble lord aware of these facts when he appointed him to the magistracy? And was he not told, that if he required any evidence of their truth, it should be furnished him? (Here lord J. Russell observed across the table, that he had communicated with the lord-lieutenant of the county on the subject). Would the noble lord consent to produce the communication which had been sent to him in the first instance? Was the lord-lieutenant acquainted with the charges which had been brought against Mr. Frost; and, if so, did he sanction such an appointment to the magistracy? At any rate, the gentleman who had made the charges was ready to come to the

bar and prove the statement he had sent to the noble lord.

Mr. Hawes maintained that no material element of our national prosperity had been injured by the policy of her majesty's ministers, and in order to establish this view of the case quoted largely from various statistical tables which had been laid before the house. He thought it fair to infer the condition of the people from the consumption of the principal excise-able commodities, and he found a marked increase in all the main articles of consumption. He objected to the motion as vague and indefinite, and only put forward from factious motives. The interests of the country required a steady executive. Experience and skill in government were of great importance, considering the vast extent of our colonial possessions and our commercial transactions, which were so largely conducted on credit.

Mr. Colquhoun adverting to the expressions which had fallen from Mr. Hawes at the close of his speech, said, that gentleman was rather a dangerous supporter of her majesty's government, at least in the topics he had selected as subjects of praise. It was true, that the interests of our commerce required a steady government, but could the present be called a steady government, when there was scarcely one principle from that memorable one on which they got into office, down to their colonial and foreign policy which had not undergone changes the most remarkable. The great aim of Mr. Hawes had been to endeavour to show that the trade and commerce of the country had improved, and this position Mr. Colquhoun at considerable length attempted to refute. He had no access to the sources from which the member for Lambeth had derived his information, but he found from the parliamentary tables, that during the period the noble lord had held the seals of the foreign office, the progress of our trade as compared with that of France and the United States showed some curious results. Between 1830 and 1835 the French trade had advanced forty-five per cent., and the trade of the United States had advanced sixty-four per cent. The trade of Great Britain in the meanwhile had advanced only twenty-four per cent., and during the last year by the accounts to which he had access, it appeared it had actually declined ten per cent. After entering into some further details on this subject, Mr. Colquhoun proceeded to show that there had been a decrease in the trade with Spain, Portugal, Germany, and Russia, and in fact that the foreign policy had had an unfavourable effect on our commerce in all parts of the world. He likewise threw back on the ministerialists the charge of want of union which had been made against the conservatives, a charge which was indeed bandied about from one side to the other throughout the debate.

The triumphant tone in which Mr. Colquhoun spoke of the unanimity of his own party, called up Mr. Gisborne, who exclaimed on rising, "Behold what a blessed thing it is for brethren to dwell together in unity;" at the same time he doubted whether the sentiments expressed by the last speaker, as to the recent appointments, were quite universal on his side of the house. In one respect the hon. baronet's motion met with Mr. Gisborne's approbation. He

thought it the most democratic form of motion that could be adopted for the removal of her majesty's ministers. It did not declare that the principles of the ministry were bad, but it said this, if it said anything, that the ministers of the crown ought to possess the confidence of that house. He had always contended himself for that principle. He was a member of the house in the year 1835. The right hon. baronet opposite was then prime minister. What did the opposition do? They met him on the first day of the session; and having rejected his speaker, they next amended his address, and then they dismissed his ambassador. They did not suffer the right hon. baronet to be in more than one majority during the two months he was in office. (Sir R. Peel said here that he did not remember it). And now the right hon. baronet did not remember even that one majority. In spite, however, of these abundant proofs that he did not possess their confidence, the right hon. baronet did not resign. The right hon. baronet said, "How unfair this is—because you are reformers, and I have been an anti-reformer, you refuse to give me your confidence—why, I am going to pass all your measures, I am going to pass your tithe bill." And because they would not vote for him after all, the right hon. baronet called them "a tyrannical majority."

Mr. Gisborne concluded a short address with a very high eulogium on the leaders on both sides of the house (Sir R. Peel and lord J. Russell); but although he had the greatest confidence in the abilities of the right hon. baronet, he was yet unable to forget his having been the strenuous opponent of the reform bill. The machinery of that bill required amendment, and he had more expectation of seeing the requisite amendments introduced by those who had been friendly, than by those who had been hostile to the measure.

Mr. D'Israeli said, they had been told, that the great want of this country was a steady executive, and he was not disposed to deny it. A strong government was the one thing needful, but could that be found on the treasury bench, whose chief recommendation, even in their own opinion was, that they were a middle party. A middle party governing, a state reminded him of the lawyer's position in the fable, who taking the oyster himself, held out a shell to each of the contending parties.

The ministers and their supporters seemed to understand, by a strong government, a government of strong measures; but it was a great mistake to confound two things so different. Strong measures were rather symptomatic of a weak government. A weak government levied troops at the end of the session, when there were not sixty members in the house. A weak government it was which felt obliged to abolish the constitutional guardians of the peace to erect a new police force in their stead. A strong government, on the contrary, was one which, feeling itself firmly established in public esteem, was enabled to carry its measures through the ardent co-operation of all the influencial classes in the realm, and to whom the great body of the people looked up with confidence. But that was not the case with the present ministry—in one sense only could he admit they were entitled to be called a steady government—

they were steady in their determination to retain their places.

Mr. Litton took a review of the policy of the government in connection with Irish affairs, and after the evidence taken before the lords' committee on the state of crime in Ireland, it was impossible for him not to speak of lord Normanby's government in terms of the strongest censure. It was, however, to the maladministration of affairs during the last six months, that he was anxious to direct their lordships' attention. When lord Ebrington first came among them he entertained hopes that justice would be done towards all classes of her majesty's subjects. Many topics of agitation had long since ceased to exist in Ireland. The relief bill had passed, and the tithe question was settled, and he had hoped the materials of agitation were exhausted. But peace and tranquillity did not suit the purposes of the agitators, and he did not hesitate to charge the government with having encouraged their projects. And in proof of what he stated, he read extracts from two speeches made within a mile of Dublin castle, and almost within hearing of the law officers of the crown. The first speech was delivered on the 27th of December, at a public meeting composed principally of the lower classes, and these were the words used by the speaker (Mr. O'Connell) "I have always declared that not one drop of blood should be shed—I hate bloodshed and violence; but I now declare that I am ready to die in the field rather than submit to tory domination. Let others do what they may, I am determined not to submit, and I am certain I shall not stand alone, for I shall be supported by millions in that determination." This paragraph he (Mr. Litton) read from the Pilot Dublin newspaper (Mr. O'Connell's organ), and he would ask any lawyer in or out of that House to contradict him when he stated that such language was at least seditious. Again, at a public theatre, as it was called in Dublin, similar expressions had fallen from the same hon. and learned member on the 11th of January. Talking of the house of lords, the hon. and learned gentlemen said, "If one of those aristocrats had gone to a stockbroker and told him that Tipperary was in commotion, that Galway was in arms, and that Kerry was up and led on by (here said Mr. Litton there was a blank and cheers from the people), if that had been stated, and if the same authority had asked in case it were attempted to put down these disturbances and to hang the agitator, what the national debt in this country would be worth, and what do you think would be the answer of the stockbroker;" and on a dinner given to him the same day, the hon. and learned member (Mr. O'Connell) delivered the following sentiments:—"That the people of Ireland were to talk no more, and were no longer to show either apathy or agitation. The man who did not become as great an agitator as himself was a traitor to Ireland. He bade them send round to their million of men with their thousands of leaders, and let them know that their country was lost if they did not rise to prevent their liberties being wrested from them by force and fraud. The peasant was ready to sacrifice himself, and he called upon them to stand between him and the knife of the oppressor."

Now as no proceedings had been taken in consequence of these harangues, was the house to conclude that the government of Ireland approved of such language? And did the government really believe there were a million of men in Ireland with thousands of leaders ready to come forward against her majesty and her government in case she exercised her undoubted prerogative and dismissed the present administration? If they did believe this statement to be correct, what then became of the vaunted tranquillity of Ireland, of which they had heard so much that night.

Several other speakers followed Mr. Litton in debate the same evening, and amongst them were Mr. Gally Knight, Mr. Pakington, and lord Claude Hamilton, after whom rose lord Howick for the purpose of vindicating his late conduct in seceding from the government to which he had been for some time attached as secretary at war. He began by recalling to mind the circumstances which induced his colleagues and himself to tender their resignations in the May preceding. To that step they had been forced from their consciousness that they did not possess that amount of confidence and support on the part of this house and of the country, which would enable them to carry on its affairs with advantage. And so deeply sensible was he (lord Howick) of this, that when they were called on most unexpectedly to resume their situations, nothing could have overcome his reluctance to do so but the duty which he thought he owed to her majesty, to support her from whom they had such generous support and such indulgent kindness. "It was, nevertheless, said his lordship, "impossible for me to shut my eyes to the fact that from the year 1834 up to the time at which we then were, a considerable and increasing defection had taken place from the ranks of the supporters of government of persons anxious for the adoption of liberal policy, but opposed to further changes in the constitution of parliament. I had observed year by year, I may almost say month by month, now one, now two of the most respectable and earnest supporters of the former whig government falling off from its ranks and joining the ranks of our opponents."

"It was my opinion, that in the new ministerial arrangements an effort should be made to recover the confidence of those persons, and I therefore conceived that such changes should take place as should hold out to this house and to the country an assurance, that while all practical reforms were vigorously carried on, the present constitution of the house should be resolutely maintained. I am not aware what were the views on this subject of the two noble lords at the head of the government in the two houses of parliament. These were of course matters principally regulated by them, and all I know is, that the arrangement on which they determined did not seem to me to answer the description I have given, but on the contrary, calculated to have a different effect. I think it was on the day week preceding the prorogation that my noble friend at the head of the government desired to see me, and in a conversation acquainted me with the contemplated changes, and I at once stated my objections, and afterwards embodied the substance of them in a

letter which I wrote to my noble friend."

"Some further correspondence passed between us to which I am not anxious more particularly to refer. It is sufficient to say that not one of the objections raised by me to any part of the new scheme was admitted to be valid, and the whole of it without any modification whatever was determined upon, and under these circumstances I felt it to be my duty —a most painful duty I can assure the house humbly to tender my resignation to her majesty, which, as the house is aware, was accepted."

Lord Howick repudiated the doctrine that the reform act was to be considered a final measure, which he considered contrary to every principle of the constitution. Neither did he look upon it as a perfect measure. At the same time he thought the bill originally introduced into the house on the 1st of March 1831, a much more perfect measure than that which actually passed into a law. Indeed he had no hesitation in saying that every one of the changes since made in that measure were very greatly for the worse. But that bill having once passed, any alteration under the present circumstances of the country would be highly inexpedient, although it was confessedly imperfect, and parliament had an undoubted right if it saw fit, to attempt to improve it. Changes in the constitution were no light matter, and any alteration in the distribution of political power, affecting as it did, all classes of society, was a thing not to be undertaken except under the pressure of great and urgent necessity.

It was an argument constantly used by Mr. Canning and other opponents of parliamentary reform, that the then existing representation of the people worked well; and could they have proved that the house as then constructed did work well for the interests of the country, he would have admitted the cogency of the argument against parliamentary reform. But he (lord Howick) was of a totally different opinion, because looking at the state of the country — the immence load of debt—the spread of pauperism—the many evils which at that time afflicted the country, he believed that this growth could be distinctly traced to the misconduct of the house of commons—misconduct to be ascribed directly to the influence by a comparatively small number of persons in the return of the members of that house. It was this conviction which made him a sincere and ardent supporter of the great measure of reform, but the state of things which justified that measure was now no longer in existence.

If he looked at the conduct of the house of commons since the passing of that bill, it did not appear to him that any such sinister interests had influenced its proceedings, and in the work of legislation it had accomplished great things. He was aware that many persons while they admitted that much had been done, contended that more still was required. However that might be, he believed the house as at present constituted did faithfully reflect the sense of the majority of the educated and enlightened classes of the community. And if there was any difference of opinion between the house and the country, he was prepared to maintain this position that the house in liberality of opinion and in enlightenment is

in advance of the constituents whom it represents, and this was naturally to be expected, as it was the part and the duty of the house of commons not only to represent, but to lead and instruct public opinion. The noble lord then went on to observe at considerable length on the aspect of public affairs, and concluded by expressing an anxious hope that he had said nothing to wound or injure his late colleagues or that was likely to separate or alienate him from them. If such should prove the consequence of what he had said, he should regret it more than any obloquy to which he might be exposed by leaving unexplained his public conduct. He hoped, however, he had avoided that danger, although the circumstances of his position compelled him to state the reasons that obliged him very unwillingly to retire from her majesty's service.

Sir James Graham had heard with great satisfaction parts of lord Howick's address, because he had served under the noble lord's father when the reform bill was carried, and because it was imagined the noble lord represented the opinions of that noble individual earl Grey. It was gratifying to find that, although the noble lord rejected the term of the finality of the reform bill, still the party of the noble lord and his more immediate connections adhered to that bill as a satisfactory settlement of a vital question. He regretted, however, that the noble lord was not prepared to support the motion of the hon. baronet the member for Devonshire, as the circumstances which called for the motion and justified the terms in which it was couched, were far stronger and more critical than those which compelled the noble lord to tender his resignation.

The conduct of the government in respect of the appropriation clause was the next point to which sir J. Graham called the attention of the house, as clearly demonstrating how little they deserved the confidence of the country. It was the ground on which his noble friend (lord Stanley) and himself had left lord Grey's government. It was also the ground on which the administration of the right hon. baronet (sir R. Peel) had been overturned, and it was the foundation of lord Melbourne's government. And if ever a ministry were bound to adhere to a principle, it was lord Melbourne's ministry to the principle of appropriation. He would repeat to the house the declaration of that noble lord in the other house of parliament in 1836, that "not only in point of honour, but in point of feeling, and of every regard which they should consider binding as public men, he, and his colleagues felt bound to adhere to the principle and letter of this resolution."

Sir J. Graham went on to contend that the noble lord, the leader of the ministerial party in the house of commons had betrayed similar inconsistency in the opinions he had expressed at different times, and the course he was now pursuing in reference to the ballot, universal suffrage, and triennial parliaments. In his address to the electors of Stroud last April, the noble lord (lord John Russell) had thus spoken of the ballot, "It is," he said, "only suited to an absolute government, or a free government, where the suffrage is universal. But for the middle classes of this country to pretend to an irresponsible and secret power over

the destinies of the country would be as the *Morning Chronicle* says, an unendurable anomaly." Then again, in reference to household suffrage the noble lord asks, "Will the householders be satisfied? will they not exclaim against the partiality?" Now after making like the ballot had been made an "open question" which lord Brougham had tersely remarked was a cunning expedient invented for the benefit of those who were more anxious to keep their places than to do their duty.

The hon. baronet briefly adverted to the manner in which the patronage of the government had been distributed, and said that he was no prude on that subject himself—nay that he admitted generally the doctrine that every government was justified in giving a preference to its friends and supporters. At the same time there were two vast exceptions to that rule, and those were the two great services of arms in this country—the army and the navy; and he said distinctly with respect to the navy, that the root of its efficiency was struck at if officers were led to understand that services performed on the quarter-deck were secondary to services performed on the hustings. The hon. and learned judge-advocate had said that he delighted in facts, he would make no comments on these he was about to mention, but simply detail them to the house. No less than eight naval officers above the rank of lieutenants had stood contests at the last general election, and had been defeated. Every one of those officers having stood election contests had since been placed in command. Admiral Ommaney who had contested Hampshire had since been placed in command at Lisbon; lord John Churchill who had contested Woodstock now commanded the Druid, captain Plumridge, the candidate for Falmouth had been appointed to the Astræa, and lord Clarence Paget, the candidate for Southampton to the Howe. Captain Napier who stood for Greenwich now commanded the Powerful, and captain Townshend who contested Tamworth had been appointed to the Tyne. The right hon. baronet quoted several other instances in which the same curious coincidence took place, and his speech certainly told with remarkable effect upon the house, especially his severe exposure of the contradictory opinions entertained by different members of the same cabinet. These observations called up Mr. Macaulay, who thought the house might imagine he rose under some little feeling of irritation to reply to the accusations and personalities of the right hon. baronet, but said he should indulge neither himself. It would be easy to reply to them, to recriminate would be still easier. Were he alone personally considered, he should think either course unworthy of him, and if ever he was under the necessity of addressing the house on matters which concerned himself, he hoped it would not be on an occasion when the dearest interests of the empire were staked on the event of the debate. He felt, indeed, with the most intense conviction, that in pleading for the government to which he belonged, he was pleading for the dearest interests of the commonwealth—for the reformation of abuses, and for the preservation of august and venerable institutions, and the general welfare of the people. Mr. Macaulay trusted that

the first cabinet minister who offered himself in debate, when the question was, whether the government be or be not worthy of confidence, would find some portion of that generosity and good feeling which once distinguished English gentlemen. But however that might be, his voice should be heard, and he would first advert, not to any matter relating to himself alone, but to those parts of the subject with which his name was in some degree bound up with the character of the government of which he formed a part.

His opinions were favourable to secret voting, and the opinions of his noble friend (lord John Russell) were in favour of open voting, and although this discrepancy existed between them, they met together notwithstanding, as members of one government. This had been made a topic of charge against the government by every gentleman who had addressed the house since the commencement of the debate. Now, if on account of this difference of opinion the house should consider them unworthy of its confidence, then no government for many years had been, or was, worthy of the confidence of the house of commons; for the several governments of Mr. Pitt, of Mr. Fox, of lord Liverpool, of Mr. Canning, and of the duke of Wellington, had all had open questions on subjects of the greatest moment.

The question of parliamentary reform was an open question with the government of Mr. Pitt—Lord Granville was opposed to that question, yet he was brought into the cabinet by Mr. Pitt who favoured it. Mr. Pitt was adverse to the slave-trade, while a defender of it, Mr. Dundas, was a member of his government. Mr. Fox, in the same manner, in his cabinets of 1792 and 1806, had open questions of similar importance; and the governments of lord Liverpool, Mr. Canning, and the duke of Wellington, left as an open question, catholic emancipation; which, closely connected as it was with the executive administration, ought perhaps to have been one of the last questions which should ever have been left open by any cabinet.

But, continued the right hon. gentleman, to take still more important ground, and to come to a question more nearly interesting to them, suppose they were to dismiss the present government, on what principle did they mean to constitute an administration composed of hon. gentlemen opposite? Was it proposed by them to leave the privileges of the house an open question? Was it intended, that their projected government should consist of those amongst them who declared themselves favourable to their privileges? He seriously believed, that the differences of opinion on the other side, on the question of privilege would, if a ministry were formed from that quarter, produce, practically, more inconvenience in a week, than would be caused in ten years by leaving the ballot an open question.

In Mr. Macaulay's opinion, the main argument used by the hon. baronet who opened the debate, constituting the substance of every succeeding speech, amounted to this:—"The country is in an unsatisfactory state—there is great turbulence—there is great disposition to extensive political change—and at the bottom of all lies the agitating policy of those Whigs.—They raised themselves to power

by means of agitation—they carried the reform bill by means of agitation—and we are now paying the fruits of their arts. All this chartism is but the effect of their conduct; and it is evident, that from those who have caused the evil, you cannot expect the remedy. We ought to dismiss them, and seek others who, never having excited the people to turbulence, will command the confidence of the country."

He did not know whether he had stated it correctly, but this as nearly as he could collect was the substance of what had been urged by the hon. gentleman opposite. He might follow the example of his hon. friend (the judge-advocate (Sir G. Grey) in his most noble and eloquent speech, and content himself with asserting that this agitation belonged principally to the government of lord Grey. Of that government the noble lord, the member for Lancashire (lord Stanley) and the right hon. member for Pembroke (sir James Graham), were members.

If men, continued the right hon. gentleman, were to be deemed disqualified for places in the councils of their sovereign, because they exerted themselves to carry the reform bill, because they appealed to the people to support that bill, because they employed means, certainly lying within the verge of the law, but as certainly also within the confines of prudence, then, he contended, no men in this empire were more completely disqualified for office than the noble lord and the right hon. baronet.

He altogether denied the assertion which he had heard over and over again that a government which countenanced, or did not discountenance, agitation would not punish rebellion. There might be some similarity in the simple act between the man who bled, and the man who stabbed, but was there no difference in the nature of the action? He, Mr. Macaulay, did not believe there had been one instance of justifiable insurrection in this country for a century and a half. On the other hand, he held agitation to be essential, not only to the obtaining of good and just measures, but to the existence of a free government itself. If they chose to adopt the principle of bishop Horsley, that the people have nothing to do with the laws but to obey them, then indeed they might deprecate agitation; but in a free country, and under a free government, their deprecation was vain and untenable.

In Russia, if a man can obtain an audience of the emperor Nicholas or count Nesselrode, and can produce proof that certain views he entertains are sound, certain plans he proposes would be attended with practical benefit, then indeed without agitation, without public discussion, with a single stroke of the pen, a great and important change is at once effected. Not so in this country. Here the people must be appealed to—the public voice must be consulted. In saying this he did not defend one party alone—he was defending alike both the great parties in the House. Had they not heard of agitation against the catholic claims? Was there no agitation against the poor-law? Had there been no agitation for education, or against the catholic privy councillors? But to pass from questions about which a difference of opinion might fairly exist to a measure upon which all must agree,—a measure of the proudest, grandest

nature that ever received the sanction of the legislature, the abolition of the slave-trade, which, he contended, never would have been carried without agitation.

The following were the concluding passages of the right hon. gentleman's speech :—

"I believe, that if with the best and purest intentions, the right hon. baronet were to undertake the government of this country, he would find that it was very easy to lose the confidence of the party which raised him to power, but very difficult indeed to gain that which the present government happily possessed—the confidence of the people of Ireland. It is upon these grounds, and principally upon the question of Ireland that I should be inclined to rest the case of the present ministry.

"Would to God that I were speaking to an audience that would judge this great controversy fairly, with an unbiassed mind, and as it will be judged by future ages—the passions which inflame us—the sophistries which delude us will not last for ever. The paroxysms of faction have their appointed season, even the madness of fanaticism is but for a day—the time is coming when our conflicts will be to others as the conflicts of our forefathers are to us; when our priests who convulse the state—our politicians who make a stalking horse of the church, will be no more than the Harleys and Sacheverells of a by-gone day; and when will be told, in a language very different from that which now draws forth applause at Exeter-hall, the story of these troubled years.

"Then it will be said that there was a portion of the empire which presented a striking contrast to the rest—not that it was doomed to sterility, for the soil was fruitful and well watered—not that it wanted facilities for commerce and trade, for its coasts abounded in havens marked by nature to be the marts of the whole world—not that the people were too proud to improve these advantages, or too pusillanimous to defend them, for in endurance of toil and gallantry of spirit they were conspicuous amongst the nations — but the bounty of nature was rendered unavailable by the tyranny of man.

"Whether the result of this debate will be victory or defeat I know not; but I know that there are defeats not less glorious than even victory itself; and yet, I have seen and shared in some glorious victories. Those were proud and happy days, when, amidst the praises and blessings of millions, my noble Friend (lord John Russell) led us on in the great struggle for the reform bill—when hundreds waited around our doors till sunrise to hear the tidings of our success—and when the great cities of the empire poured forth their populations on the highways to meet the mails that were bringing from the capital the tidings whether the battle of the people were lost or won.

"Those days were such as my noble Friend cannot hope to see again. Two such triumphs would be too much for one life. But, perhaps, there still awaits him a less pleasing, a less exhilarating, but not a less honourable task, the task of contending against superior numbers, through years of discomfiture, to maintain those civil liberties—those rights of conscience which are inseparably associated with the name of his illustrious

house. At his side will not be wanting men who against all odds, and through all the turns of fortune, amidst evil days and evil tongues, will defend to the last, with unabated spirit, the noble principles of Milton and Locke.

"He may be driven from office—he may be doomed to a life of opposition—he may be made the mark for all the rancour of sects—he may be exposed to the fury of a Laud on the one side, and to the fanaticism of a Praise-God Barebones on the other—but a portion of the praise which we bestow on the old martyrs and champions of freedom will not be refused by posterity to those who have, in these our days, endeavoured to bind together in real union, sects and races, too long hostile to each other, and to efface, by the mild influence of a parental government, the fearful traces which have been left by the misrule of ages."

This speech met with severe censure from viscount Powerscourt, who said it was a new and most ominous thing, for a member of the cabinet to come down to that House, and boldly and openly declare, that he upheld and admired that system of agitation, to which the country owed all the evils it was now labouring under.

Mr. Fox Maule in the course of an able and argumentative speech complained of sir J. Graham having made the following observation:—that the people of Scotland in sending as their representatives to this house those who were required to have no property qualification, had sent members who were inferior in talent, in integrity, and prudence, to those who came from other parts of the empire.

If he (Mr. F. Maule) were right in supposing this to be the meaning of the right hon. baronet's language, then he must say, that a more gratuitous insult was never offered to the representatives of the people of Scotland, and he confessed that he little expected, that the right hon. baronet, whom he had seen riding—

> "From Netherby-gate to Branxholm braes"

in order to visit his friends on the other side of the border, and who so far stretched his panegyric as to congratulate them—

> "On victories won in border frays,
> Or his own clan in former days"

would have gone so far as to say, that the representatives of the people of Scotland were, from their want of qualification, inferior to the members returned to the house possessing a property qualification.

The right hon. baronet might rely upon it, that this speech of his would cross the border, and that no raid of any of his ancestors ever created more indignation than would be aroused in Scotland by his speech of last night.

Mr. Fox Maule then went on to shew the great reforms which the government brought about in criminal law. In 1832, his hon. friend, Mr. Ewart, then member for Liverpool, with the assistance of government, brought in his bills for the abolition of the punishment of death for cattle stealing, horse and sheep stealing, larceny in a dwelling house, coining, and certain cases of forgery. In 1833, the bill for abolishing death was brought in.—In 1834, that for abolishing capital punishment for returning from transportation.—In 1835, the offence of stealing letters by servants of the post-office, was relieved from the same penal-

ty; and in 1837, his noble friend (Lord J. Russell) then at the head of the home department, brought in those acts by which he has raised an imperishable monument to his ability and humanity. In these acts are repealed the remaining laws inflicting capital punishment, except in six cases of very rare occurrence. However a short statement of facts would prove more than any arguments in support of his proposition, that the liberal party had done much more to ameliorate the criminal laws than the tory government which preceded it.—In 1818, the convictions were 1,254, and the executions 97.—In 1828, there were 1,165 convictions and 59 executions; and in 1838, after the laborious efforts of the liberal party, the convictions were but 116, and the executions only 6.

Mr. Lascelles said, that the motion before the House was one which should have his most cordial support, as he did not think the government were in a position to carry on the affairs of the country; for the lords were against them, their hands were tied, they were much more incapable of carrying out measures of progressive reform than his right hon. friend and the party by whom he was supported.

Mr. Handley observed, that the reform government boldly grappled with the giant evil which their predecessors had shrunk from contending with, and introduced, despite of all unpopularity, the poor-law amendment act, which had read to the labourers a great moral lesson, that they must depend upon their own exertions, and the value of a good character; its results were that the best men now got the best wages, and the poor-rates had diminished to an incredible extent.

Mr. Sidney Herbert said, it was matter of rather curious enquiry how ministers obtained their precarious support, and what were the motives that induced many of those who occasionally supported them to lend them their votes. The question might be thus solved: —There was a large party in the house which was an extreme party, and the individuals of that party were well aware that to obtain their demands it was better to have a weak government rather than a strong one. The support these hon. members gave the government, must, in the present case, be taken to evidence their conviction of the weakness of government. When ministers were pressed, they must resort to these persons of whom one of them with a plain hard-hitting wit peculiar to him, had aptly said, that he knew the present government was made of squeezable materials, and, therefore, he stuck to it.

Mr. Ward gave it as his opinion, that for the radical party in the House, there could be no more complete justification for the vote they were about to give, than the speech delivered on the previous night by the right hon. baronet (sir James Graham), who had told them what they had to expect from the two parties in that house. He himself was for a complete change in the corn-laws—the right hon. baronet had told them they were not to expect it. He was for the ballot — the right hon. baronet had said, distinctly, that he repudiated the ballot. He was for progressive reform—the right hon. baronet said, they were not to look to him for it. [Here sir J. Graham interposed and stated, that he

was for progressive reform.] Yes; (continued Mr. Ward) that was according to the right hon. baronet's own version of reform, which was similar to that of the noble lord, the member for Northampton, who was gravitating towards those on the opposition benches, and the "progressive reforms" of both, meant "nominal reform" without any progress at all.

Talk of schisms and divisions (proceeded the hon. gentleman) on his side of the house, they were nothing like those on the side of the opposition, which were much more deeply seated—they were all founded on a religious basis, and that was the worst basis of all. His explanation of that fact was, that when they came to matters of conscience, the judgment was overruled, and there was no option left.—There were no errors greater in the history of the human race than those connected with religion which bore upon politics.

Lord Stanley, in the course of a most eloquent and energetic speech, wished to know on what ground it was, that confidence was about to be voted that night. It was not a confidence in the firmness—it was not a confidence in the principles of the government—but it was a confidence entertained by those who were wedded to extreme opinions, that step by step, and bit by bit, and inch by inch, they would be driven from one position to the other in the course of "progressive reform," until they would only stop at the abolition of all form of government. He would give them an illustration of this confidence. He hoped he should not offend the hon. and learned member for Dublin by recurring to a speech made by him. In 1836, (continued lord Stanley) this friend and ally of government said, in a speech delivered in Dublin, "I am for a reform of the House of Lords, and as a means of obtaining that end, I am for universal suffrage. I am for the ballot and doing away with property qualification. I am for the Whigs, although they don't go the whole way; but, when I get them to a certain point, I will bring them the rest of the way with me." So said the hon. and learned member for Dublin, and had any member of the ministry stepped forward in the discussion, and declared, "Here are our principles; so far we are ready to go as a government, but any ulterior change we will resist to the utmost of our power?" Not one.

Now he (lord Stanley) wanted to know of what party the present administration commanded the confidence? He need not ask if it had the confidence of his side. In the sense in which he used the word he thought he might safely ask, if it had the confidence of the other? Had the ministers the confidence of the landed interest? Had they the confidence of the advocates of a free trade in corn? Had they the confidence of the clergy? [*Loud laughter.*] That shout was the answer—the proposition was too monstrous to be heard of. Had the ministers the confidence of the constituencies of England? [*Loud cheers.*] The answer to that cheer was the representatives of England. It was admitted a majority of the representatives of this part of the United Kingdom did not give their confidence to her majesty's government. But (proceeded the noble lord) the ministry declared they had the confidence of Ireland. Now, had they the

confidence of Ireland? Through what organ did they derive that knowledge? They had, it is true, the confidence of the hon. and learned member for Dublin (Mr. O'Connell), "the representative of all Ireland." But to what extent did he repose that confidence? He knew how to mould the cabinet to his purposes; he made them his instruments, and he boasted that if they were removed, so far from having the confidence of the Irish people, he had only to hold up his finger, and he would have 500,000 fighting men ready for resistance. And to resist what? The exercise of the prerogative of the crown. And yet they boasted of the tranquillity of Ireland, and spoke of it as in a safe condition. Did they believe that or not? Did they believe that it was so, while there was a man in Ireland who, on holding up his finger, could raise 500,000 fighting men in rebellion?

After some very cutting allusions to India and China, lord Stanley continued in the same searching style to enquire into the state of the finances of the country: — "The noble lord at the head of the government has told you that you must be prepared to make a great effort, or submit to see this country sink in the scale of nations. Under all these circumstances, with chartist conspiracy at home—with all those great questions causing apprehension abroad—with the dispute relative to boundary remaining unsettled with the United States—with the aggressions of the French upon Monte Video—with the constant increase of the French navy—I ask what is the position of this country at this alarming conjuncture? Are you prepared to make a great struggle, or are you prepared to allow this country to sink in the scale of nations? You are prepared to make a great struggle; then I ask where and what are your means of doing so? I ask you, with all these circumstances surrounding you—with all these dangers threatening you abroad and at home—in what state, under your management, are the finances of the country? Let it not be forgotten you have been in power for five years, and for the last three of those years during a period of profound peace; you have had a constantly increasing deficiency, and a constantly augmented expenditure—you have had this with an increasing income, and in a time of entire peace, and what is the result. In three years you have accumulated a debt of about three millions. In 1838 you had a deficiency of 1,400,000*l.*, in 1839 your deficiency was 425,000*l.*, and the estimates of the deficiency for the present year are not less than a million. And the quarter which is to close that financial year, is the first quarter in which you experience your new operation of the penny post. I ask, in this state of the country, in this state of the revenue, with your Indian trade cut off, your Indian revenue cramped by the loss of your opium trade, your domestic revenue damaged by the failure of your tea trade—now, and by what means are you prepared to meet the exigencies you must encounter if you continue to conduct the government, and keep England her rank in the scale of nations?

Viscount Morpeth rejoiced with the noble lord (lord Stanley) that by the results of the vote on the present motion, all parties in the house would stand plain and un-

masked, and would have the opportunity of intimating to which of the two parties in the state they thought it advisable the powers of government, in the present conjuncture of affairs should be entrusted; and if to make the ballot an open question, and to decline making any modification of the corn-laws, disentitled ministers to the confidence of the House, then, he admitted, the vote should go against them.

The main question upon a motion like that before the house, must turn on great principles and broad results. What was the present state of Ireland, and what the main principle of the policy of government? these were the points he desired to put to issue, and on which he wished the verdict of the House to be passed. No doubt if a laborious ransack into the proceedings of five long years were instituted, irregularities and mistakes might be found—a wrong person might have been appointed chief constable, or a wrong man let out of prison, but (proceeded the noble lord) if Ireland be in a state of tranquillity unprecedented, and if the key stone of ministerial policy be the impartial administration and vigorous enforcement of justice between all creeds and parties, and an anxious endeavour to raise Irishmen, in point of rights and privileges, to an equality with their British fellow-countrymen — if such was the condition of Ireland, and such the guiding principles of those who governed her, then he felt proof against all the sneers and clamours of the opposition, and would leave everything else to the evidence of facts and the appreciation of a liberal and intelligent people. He observed, that the question of the withdrawal of troops from Ireland seemed to give particular umbrage to a certain party. He would enumerate the numbers of late years, and the amount withdrawn, In 1831, there were of regular troops 16,000, and of yeomanry 27,000, making a total of 43,000 men. In the subsequent year, the services of the yeomanry were dispensed with, and in 1833, the number of military was 24,000; in 1834, 23,500; in 1835, 19,000; in 1836, 17,000; in 1837, 18,000; in 1838, 17,000; in 1839, 16,000; and in 1840, 14,000. Since March there had been 200 of the 1st dragoon guards and 3,494 men from other regiments, withdrawn from Ireland. The member for Tyrone (lord C. Hamillton) had stated (continued lord Morpeth), that the reduction in the amount of troops had been made up for by additions to the constabulary force. It was true that the constabulary force had been increased. In the year 1832, it amounted to 6,264; in 1833, to 6,867; in 1834, to 7,110; in 1835, to 7,046; in 1836, to 7,200; in 1837, to 7,944; in 1838, to 8,044; and in 1839, to 8,370; so that, under the present government, the army in Ireland had been reduced by 5,000 men, whilst the augmentation to the constabulary force amounted to 1,200 men; and he would put it to the sense of the house, whether, if an increased force were necessary, it was not much more desirable that the constabulary force should be strengthened rather than the regular army. Lord Morpeth proceeded to defend the policy of ministers in Ireland in a most energetic manner, and concluded with the following appeal to the house:—"Those who have only perused what has taken

place here during this debate, must have perceived sufficient indications of a great difference of opinion amongst members of the Conservative party. Again and again they repeat that argument so often urged, that, in the month of May last, we declared we did not possess an adequate degree of the confidence of this House. That is true. And did we not hear, a few nights afterwards, the right hon. baronet (Sir Robert Peel) declare, that if he undertook the government of the country, Ireland would be the chief source of his difficulties? And do you think, that in the intervening period Ireland has been so soothed by the dulcet strains of sympathy and consolation which have been poured forth through all your organs, and from all your gatherings? do you think that the mind of Ireland has been so enlightened, so irradiated by the glimpses you have let fall upon her, of the sentiments you entertain towards her, and of the purposes you cherish in her behalf, that the difficulties to which the right hon. Baronet alluded in so emphatic a manner are removed—that the dark cloud will pass away which before closed round his accession to office, and open a horizon of serenity and confidence where all was mistrust and alienation? Have there been no indications of late from England and Scotland as well as from Ireland? Why, since you gave notice of this motion, so big with menace and hostility, what has been the confirmation given by all the constituencies which had, in the nick of time, to be consulted? And the self-same verdict, so far as the vote of this night is concerned, has been returned from the most different bodies of men, and from the most distinct parts of the empire—from a great suburban district of the metropolis—from a first-rate seaport town—from the crowded manufactories of Birmingham—from the ducal borough of Newark—and in two consecutive instances from the enlightened capital of Scotland.

We hail (continued the noble lord) with right good will from the different constituencies which have been consulted, their commentary on the motion of to-night. And if it pleases you so to continue it—if heedless of 'the better part' which is still open to you—you decline to co-operate in the work of assisting to smooth the difficulties and to lessen the obstacles which, we do not dream of denying, beset and impede many of the complicated relations of our internal, our foreign, and our colonial policy—to soothe the irritations which prevail in the public mind—to disarm jealousies—to allay dissensions—in one word, to consult together for the public good, why we, as a party, and in a selfish point of view, have only to bid you to go on—to stir up, or rather, perhaps, to suffer to be stirred up, the fierce embers of past intolerance—to re-illume the fires of expiring bigotry, and scatter the elements of mistrust amid the inhabitants of the same soil—the children of the same creator. And while you adopt this course, we, on the contrary, shall put our trust in the increasing spread of intelligence, in the confirmed sway of toleration, and in the returning sense of a disabused people."

Sergeant Jackson ably replied to Lord Morpeth, and after Mr. Charles Wood had stated the grounds on which he felt it his duty to leave the administration

in company with his noble Friend, Lord Howick, Mr. O'Connell rose and complained of the tone which had characterized the debate. He did not think it likely to raise the House in the opinion of the public or of the statesmen of Europe. He had been the subject of many observations. He had been called a repealer. He was, he owned, a repealer; and nothing had occurred during the debates to shake him in that opinion. The hon. member for Durham (Mr. Liddell) had talked of English and Irish majorities—had stated, as a charge against the government, that they had an Irish majority. The question had been asked publicly, and he would repeat it, was there any difference between an Irish and English majority?

"And (continued Mr. O'Connell) the hon. gentleman (Mr. Liddell) has introduced into discussion the fact of my having been honoured with the offer of the chief barony of the Exchequer in Ireland. And what was the defence? Why, at that period the repeal agitation had ceased in Ireland, because the people of Ireland had hopes that that house would do justice to Ireland. But I refused that offer upon two grounds. First, because I could not trust myself to accept it; for I own candidly, that I was afraid I should fall into partiality to one party or another, that I should either show favour to those who agreed with me in religion or politics, or, which is the worst sort of partiality, that I should decide in favour of my opponents when they were in the wrong, in order to avoid the accusation of doing wrong myself."

The right hon. Baronet (Sir J. Graham) has done me the honour to notice me particularly, and has charged me with having compared myself with Papineau; and then proceeded to state that Papineau was a traitor, who had fled from his country, not daring to stand his trial when a charge of high treason was brought against him. The right hon. Baronet ought not to have forgotten to read the remainder of the passage in which I compared myself to Papineau. I did venture to do so. I said, that we both had considerable popular influence, and that he had an advantage over me, because he had a majority in the commons' house of Parliament in his favour; but I went on to say that he was a traitor to the people as well as to the crown, because, instead of using moral means when it was in his power to do so, he had resorted to physical force. The right hon. Baronet took care to omit the latter part of this passage—I succeeded, Papineau failed, and for this very reason, that I looked to nothing but moral means, whilst he resorted to physical force."

Mr. O'Connell, after commenting severely on a sermon which had been preached at Manchester by the rev. H. M'Neill, and also on another preached at Worcester, by the rev. Frank Hewson, went on to show the tranquillity which he asserted then prevailed in Ireland—for his part he was ready to defy those who followed him in the debate to prove that there was anything of disturbance in Ireland. He was counsel for Ireland, and he appeared there to plead her cause and to maintain her rights, and he would assert, that England was discontented and disaffected—Ireland was tranquil—England was distracted by lawless bands of physical-force chart-

ists—Ireland did not seek to obtain her ends by violence, by resistance to the law, by destruction of property.—No. In England, rebel bands were led against the armed soldiery; but those soldiers knew their duty and performed it. What were they? Irishmen. In England the lives of the gentry were threatened, and a spirit of assassination had sprung up. Had the Irish in England taken any part with the chartists?—They had grievances—they had sufferings—they had many causes of complaint—Did they join the chartists? No. Even the tradesmen of Dublin, whose combination he had opposed at the peril of his life, even they rejected chartism.

Sir R. Peel withheld his confidence from the ministry on every ground on which confidence could be withholden, on the results of their public policy—on their own confessions of incompetence—on the testimony of their most valued friends—on account of the constitution of their government—on account of their measures, and, above all, on account of the principles they were now forced to avow, in order that they might retain their majority, and, in consequence their offices. In the first place the right hon. baronet pointed out the diversity of opinion which prevailed in the cabinet on the subject of the ballot and the corn-laws, and other great questions; he also took Mr. Macaulay to task for preaching in his capacity as cabinet minister "the sacred duty of agitation." "But even supposing that you abstain from agitation," (said sir R. Peel) "and that to prevent collision in the cabinet, you never discuss either corn-laws or ballot, or any other of the open ques ions, what answer will you make to your constituents at Edinburgh? Out of office you declared yourself in favour of these measures, in office you repeated the assurance that you were faithful to your principles. Was it not the fact that from the proud keep of Windsor you proclaimed your fidelity to them, not from the gratification of any personal vanity, but from the firm resolution that truth should be spoken in high places, and that from the palace of kings the comfortable tidings of radical reform should be conveyed by a voice of authority."

Will it suffice to answer, when your constituents require the fulfilment of your promises, "I gave you no pledges; declarations in abundance I admit, but pledges I utterly disdain them." They will remind you, that they hailed your return from foreign lands to the shores of England,—that they found you panting for distinction, and lifted you through their favour into the councils of the empire. If their native tongue will not suffice for this classic constituency, you have taught them, by reminding me of former reproaches, where they may find, in the passionate exclamation of Dido, the fit expression of their sorrow:—

"Nusquam tuta fides! ejectum littore, ejentem.
Excepi, et regni demens in parte locavi"

"Shall there be no fruit," they will exclaim, "of our mutual love, no little bill stamped with the image of the father, and reflecting in its face the features of paternal vigour and intelligence?"

"Saltem si qua mihi de te suscepta fuisset
Ante fugam soboles, si quis mihi parvulus aula

Luderet Æneas, qui te tamen ore referret
Non adeo omnino capta ac deserta viderer."

"You remain deaf to their entreaties; with all your protestations of fidelity you have nothing to return but the miserable answer of Æneas, after all his coquetting in the cavern, *non hæc in federa veni*—I gave you no pledges. The noble lord (lord John Russell) tells his constituents at Stroud, that the measures to be dreaded, as ending in revolution, are the ballot and its consequence, indefinitely extended suffrage; and he exhorts the inhabitants of Stroud to act on the principles of true whiggism, and above all, "not to raise the anchors of the monarchy while a storm is blackening in the horizon." And what does the noble lord do as the fury of the storm increases? He enlists an able-bodied seaman, who thinks there is no safety but in heaving the anchors, and is whistling away with half the crew at work at the capstan. And what was the natural consequence? The vessel is lost while the officers are squabbling and fighting about the management of it."

Sir R. Peel next proceeded to consider the financial measures of the government, and in the first place he would look at the revenue. Every quarter produced a greater increase in the expenditure, and a corresponding deficit in the revenue of the country, indeed he found, that on the 5th of January, 1839, the actual expenditure exceeded the annual revenue by the sum of 345,000*l.*, on the 5th of April by 430,000*l.*, on the 5th of July by 518,000*l.*, and on the 10th of October by 803,000*l.* It further appeared on the balance of three years there was a deficiency of 3,500,000*l.*; and yet, in such a state of the finances, the government, for the sake of a little momentary popularity, consented to sacrifice the revenue of the post-office.

Whilst the revenue was thus diminished, how did the establishments stand? What progress had been made in redeeming the magnificent pledges of retrenchment and economy—the flattering promises, that a reformed parliament would secure respect for the government, and peace both at home and abroad, with greatly reduced establishments. What were the facts? In 1835, the expenditure of the army, navy and ordnance establishments, was 11,400,000*l.*; in 1836, it was 11,800,000; in 1837, it was 12,194,000*l.*; in 1838, it was 12,168,000*l.*; in 1839, it was 13,565,000*l.* In the spring of 1835, the present ministers took the administration of public affairs into their own hands—they promised emphatically to secure tranquillity and concord throughout the country by "progressive reform," and declared that the name of England should be so respected throughout Europe, that universal peace could be maintained with diminished establishments. They had, notwithstanding, progressively increased the military establishments of the country; not, as he believed, unnecessarily; he threw no blame upon them for that increase, but let them no longer boast of the blessings of profound peace abroad, and tranquillity at home. For there stood the fact, that they had increased the military establishment of the country from 1835, when they were 11,401,000*l.* to the present period, when they

were 13,565,000*l.*, and that during a time of peace. The right hon. gentleman then proceeded to answer the questions put to him on various important measures, among the chief of which were, the privilege question, the poor laws, national education, the reform act, the corn laws, the Roman Catholic relief act, and the government of Ireland.

It had been said that he could not venture to declare an opinion on those important matters without at once exhibiting the divisions and dissensions which were alleged to prevail in the conservative party. But he declared once for all, that he preferred incurring that danger, to the purchasing of a precarious support by the concealment of his views and intentions. It was true he had supported the poor-law bill in parliament when brought forward by a government which he opposed, and he would add, that if the leaders of the conservative party had followed the examples which they might have found in the conduct of former oppositions; if they had availed themselves of the unpopularity of the law, and of the facilities it afforded for exciting public discontent, the law could not have passed. He should, he said, continue to support the law, and in saying this was he making a tardy declaration in its favour? Could he be justly chargeable with having declined his share of the responsibility of it, or with having sought to profit for party purposes, by the tacit encouragement of a cry against it?

The judge-advocate, sir George Grey, had inferred that he (sir R. Peel) was a party to the declaration which had been made by Mr. Dawson on the subject of a modification of the corn-laws, and that he had employed Mr. Dawson as a convenient instrument for publicly notifying some change of opinion on his part; and it became necessary therefore for him to declare publicly, not only that Mr. Dawson's profession of opinion on the corn-laws was wholly unauthorized by him, but that he had never had the slightest communication with Mr. Dawson on the subject, either previously to the Devonport election or during its progress. And he would also publicly declare, that he had never on any occasion resorted to the paltry device of employing another person to speak his opinions, of putting forth a feeler, of making an experiment on the public mind, with the view of ascertaining the policy of maintaining or abandoning any given course.

On the question of the corn-laws, continued sir R. Peel, his opinions remained unchanged; he adhered to those which he had expressed last year. He did not then, or at any time, profess an unchangeable adherence to the details of the existing law—a positive refusal, under any circumstances to alter any figure of the scale which regulated the duty on foreign corn. But he did profess, that he considered a liberal protection to domestic agriculture, indispensable, not merely to the prosperity of agriculture, but to the general interests of the community; that he thought a graduated duty, varying inversely with the price of corn, far preferable to a fixed duty; that he objected to a fixed duty, first from the great difficulty of ascertaining the amount of it or any satisfactory date, but secondly and chiefly, because he foresaw that it would be impossible to

maintain that fixed duty under a very high price of corn, and that once withdrawn, it would be extremely difficult to re-establish it.

Sir R. Peel concluded in the following impressive manner:—"I cannot answer the question you put to me," what principles will prevail if a new government be formed? but I can answer for it, that if the principles I profess do not prevail, of that government I shall form no part. It may be, that by the avowal of my opinions, I shall forfeit the confidence of some who, under mistaken impressions, may have been hitherto disposed to follow me. I shall deeply regret the withdrawal of that confidence; but I would infinitely prefer to incur the penalty of its withdrawal, than to retain it under false pretences, or under misapprehensions which silence on my part might confirm. And in that case I shall not seek to compensate the threatened loss of confidence on this side of the house, by the faintest effort to conciliate the support of the other. But I shall steadily persevere in the course which I have uniformly pursued since the passing of the Reform bill, content with the substantial power which I shall yet exercise—indifferent as to office, so far as personal feelings or personal objects are concerned, ready, if required, to undertake it, whatever be its difficulties, refusing to accept it on conditions inconsistent with personal honour—disdaining to hold it by the tenure by which it is at present held."

"Every stimulus to continued exertion will remain, every distinction that my ambition aspires to will be gained. I shall have the cordial co-operation of many friends whom I honour and esteem, and with whom I have acted from my first entrance into the troubled career of political life; and above all other encouragements, above all other distinctions, I shall have the proud satisfaction of acting in entire and cordial concert with that illustrious man on whose right hand I have stood throughout the varying fortunes of the great contests of recent years, who is still devoting faculties, unimpaired by time, to the service of a grateful country, and achieving a reputation as a statesman, not inferior to his preeminent fame as a warrior through the exercise of the same qualities, as rare in their separate excellence as wonderful in their combination, and which ensured his military triumph; the same acuteness, the same sagacity, the same patience, the same true courage, the love of justice, the love of truth, the noble simplicity of mind without fear and without reproach. Encouraged by such an example, and supported by such aid, holding opinions which I believe to be the opinions of the vast majority of those intelligent and powerful classes which used to influence and which ought to influence the constitution and the march of governments—the clergy, the magistracy, the commercial classes, the yeomanry of this country. I can hardly believe that such opinions are incapable of practical execution. But be that as it may, of this I am sure, that such opinions must so far prevail, that he who holds them will be enabled effectually to assist you (the government) whenever you resolve to refuse improper and dangerous concessions; and, if you are inclined yourselves to make them, to offer those impediments to your downward progress, which you

may call obstructions to public business, but which the country will consider the real guarantee that this free and limited monarchy shall not be converted through the folly or the weakness of its rulers into an unqualified and unmitigated democracy."

Lord John Russell wound up this very long debate with a speech of great power and ability, in which he defended his opinions on various subjects; and with respect to the ballot he had not, he said, changed his views, for he still considered that to alter in any way the suffrage by which the house of commons was elected, and to enter upon a new Reform bill, would cause such doubt and uncertainty to their whole future course with regard to the institutions of the country, that he could not see it adopted without a great deal of alarm. Notwithstanding this he had agreed that the ballot should be one of those questions which should be made an open question. He would tell the house that he did not think the ballot was consistent with anything else than universal suffrage, but he did not agree that that would be its immediate effect. On the contrary, he believed that it would be so unpopular a change, that when it took place there would be such opposition against carrying further, to any great extent, the suffrage, that either by practice or law, open voting would soon be reverted to again. Secrecy could not be made popular in the country without making the suffrage much more extensive than it was at present. Amongst those who were favourable to the ballot there prevailed many differences of opinion on the subject. Some maintained that no further changes would ensue from the vote by ballot, and lord Spencer was of this opinion. Soon after the general election in 1837, that nobleman had told him (lord John Russell) that in his belief, if the ballot had existed, there would have been but two elections which would have terminated in a different manner. Such was the variety of opinions on this point, that he certainly did not think there were sufficient grounds to induce the government to refuse that it should be made an open question, and that every one holding an official situation might be at liberty to vote as he pleased on the subject.

Lord J. Russell then went on to say, that during three nights debate, and in spite of the announcement which had been made, that all the faults of the government would be dragged into light, he could not help observing, that though they had to conduct the affairs of a vast empire in every quarter of the globe, to negociate daily with foreign powers upon matters of the deepest importance, to govern colonies in every region of the earth, and countries where existed different races of men, different forms of government and different laws; yet with all these difficulties to encounter, the charges actually made against government comprehended but a small portion of their conduct, and but very trifling instances even if made good as compared with the whole duties of an administration.

If there were so many of the interests of the empire (continued lord John) which had not been neglected, if the affairs of Belgium had been brought to a satisfactory conclusion—if England had still an ally in the queen of Spain—if the Basque provinces had been paci-

fied—if the Canadas at length assumed a prospect not only of returning tranquillity, but of permanent freedom and happiness, he did think that when the house was called upon to pronounce an opinion upon the general conduct of affairs, that in giving that opinion the house ought not to leave out of view those many important interests upon which not a syllable had been uttered, nor forget that the government had never betrayed its duty or neglected to pursue the policy essential to the interests of the country.

It had been said by the noble lord (Stanley) opposite that they were utterly inefficient to measures of legislation. Now, obstructed as they had been by a large party in the house of commons by a very decided majority in the house of lords, he (lord John) thought that during the four years which had elapsed since 1835, the legislative measures proposed and carried by government were neither few nor unimportant. He maintained that there was scarcely a time to be found of equal duration, in which measures of more importance had been carried. In 1835 was passed an act reforming altogether the municipal corporations of the country; placing them all upon a new foundation, admitting popular control and regulating all their affairs with the greatest minuteness. In another year there were important questions with regard to the church. At that time there was one bishop, as in the case of the bishop of Durham, with 22,000*l.* a-year, and another bishop with only 500*l.* a-year. The wants of the poorer bishops were then made up by deaneries and other lucrative offices in the church. There were likewise pluralities to the greatest extent; he remembered finding in a catalogue of the benefices of the church, that sixteen persons were holding sixty-five different species of ecclesiastical preferment. Measures were in consequence taken by the government to prevent any clergyman from holding more than two pieces of preferment, or any benefices more than two miles apart. He thought that act was one of the greatest importance that had been passed since the Revolution, perhaps since the Reformation.

There were likewise acts introduced by the same administration for the registration of births and marriages, by which the dissenters were allowed what they never had before, the privilege of being married according to their own forms. And he might add also another act passed for the introduction of a poor-law into Ireland; and an act for the settlement of tithes in England, by which agriculture was promoted and the clergy benefitted to a great extent. It was upon these grounds lord John Russell contended that the opposition had not made out their case against government.

The house then divided—Ayes 287; Noes 308: Majority against the motion 21.

CHAPTER V.

Affairs of China—Motion of Sir James Graham condemnatory of the past policy of Ministers with reference to China—Able Speech of Sir James Graham introducing the Motion—Sketch of the Chinese Empire—Short History given by Sir James of the rise of our Empire in India—Notices the Resolutions of Sir George Staunton, and the Appointment of Lord Napier as Chief Superintendant at Canton—Memorandum of the Duke of Wellington—Question of propriety of Embassy to Pekin—Question of Residence of Chief Commissioner at Canton—Extracts from Correspondence between Lord Palmerston and Captain Elliot—Want of Authority in the Chief Commissioner, the great source of Evil—Opium Question—Urgent warnings given by Captain Elliot—Conduct of Captain Elliot—Resolutions moved by Sir James Graham—Mr. Macaulay replies—defends the policy of Government—Contends that Ministers had reason to expect that the Chinese Government would legalize the sale of Opium—Able Speech of Sir W. Follett in support of the Resolutions—The house is addressed by Sir George Staunton in Opposition to the Resolutions—and by Mr. Thesiger in support of them—Allusion by Mr. Gladstone to the Poisoning of Wells in China—Remarks on this by Sir S. Lushington—Speeches of Sir J. C. Hobhouse and Sir Robert Peel—the latter confines himself to the charge that Government had not furnished the Chief Superintendant with proper Powers—Speech of Lord Palmerston in Defence of the Measures of Government—Motion negatived.

WE have elsewhere given a narrative of the events which led to our rupture with China. — Although the general feeling in this country, entertained even by those who were opposed to ministers was, that the war was justifiable in consequence of the outrageous conduct of the Chinese; yet the previous policy of our government was considered open to the gravest censure as characterised by imbecility and neglect. Accordingly on the seventh of April, Sir James Graham brought forward a series of resolutions condemnatory of the policy of ministers previous to the out-break with China. The right hon. baronet introduced the subject by calling the attention of the house to the magnitude of the interests involved in our relations with China. He said, that he was guilty of no exaggeration, when he stated, that one-sixth of the whole united revenue of Great Britain and India depended upon our commercial relations with that country. Last year the revenue paid into the exchequer of this country on account of tea, amounted to no less a sum

than 3,660,000*l.* Besides that, there were other receipts arising from duties on imports into that country, making the British revenue, derived from our intercourse with China, no less than 4,200,000*l.* per annum. Then again with regard to India, where our difficulties were principally financial, he begged to call the attention of the house to the large proportion of the revenue which India derived from China. The gross income was stated somewhere about 20,000,000*l.* annually, and unless he was greatly mistaken, the income derived by India from China was no less than 2,000,000*l.* annually, and, the chief inconvenience of our intercourse with India arising from the difficulty of remittance. China had afforded this remarkable facility, that, year by year, since the trade was opened, there had been an annual influx from that country into India of specie averaging 1,300,000*l.*, and amounting last year to 1,700,000*l.* He must say, he thought a general fallacy prevailed in this country with respect to China. Our intercourse being restricted to a single port, public opinion with regard to that great empire was formed, with reference to Canton alone—and it was exactly as if a foreigner who was occasionally permitted to anchor at the Nore, and at times to land at Wapping, being placed in close confinement during his continuance there, were under such circumstances to pronounce a deliberate opinion on the resources, genius, and character, of the British empire.

The right hon. baronet then gave the following sketch of the Chinese empire. "It was inhabited by 350 millions of human beings, all directed by the will of one man, all speaking one language, all governed by one code of laws, all professing one religion, all actuated by the same feelings of national pride and prejudice; tracing back their history not by centuries, but by tens of centuries, transmitted to them in regular succession under a patriarchal government without interruption; and boasting of their education, of their printing, of their civilization, of their arts, all the conveniences and many of the luxuries of life existing there when Europe was still sunk in barbarism, and when the light of knowledge was obscure in this western hemisphere. But apart from their numbers—apart from what he had mentioned with respect to that unity which was strength, he called the attention of the house to their immense wealth. They possessed an annual revenue of 60,000,000*l.* regularly collected; they had no debt they inhabited the largest and the fairest portion of Asia; more than one-third of that country they cultivated, under the finest climate, with unwearied industry; the soil is most fertile, watered by vast rivers, and intersected by a canal 1200 miles in length, one of the standing wonders of the world; and in every portion of that immense empire there was one uniformity of system, one jealous suspicion of strangers, evinced both on the shores of the Yellow Sea and all along on the confines of Ava, Nepaul, and Bokhara."

Sir James went on to state, that the great characteristic of the Chinese people, their extreme jealousy and suspicion of strangers, was displayed with more than ordinary strictness against Great Britain, and he accounted for this by drawing the following animated

picture of the rise and progress of our dominion in the East. "If the Chinese looked across the Himalaya mountains they saw Hindostan prostrate at the feet of England, and they were not so ignorant as not to be aware of the policy which had led to that result. Hardly a century had elapsed since, from a small beginning, that British empire had arisen. And how? We commenced our connexion with India under the pretence of trading and the semblance of commerce. Scarcely a century had passed since the first English factory was established there. A single warehouse was at first built; it was then surrounded by a wall. We next added a ditch, armed some labourers, and increased the number of Europeans. A garrison was thus formed, and then we began to treat with the native powers. Having discovered their weakness we seized on Arcot, triumphed at Plassey; and what a Clive began, the Wellesleys completed. Seringapatam was stormed, the Mysore was conquered, and the Mahrattas fell under our dominion. These successes terminated in the battle of Assaye, when India became ours. Nor was this all. The Hydaspes had been crossed, Candahar and Cabul had witnessed the march of the British troops, and central Asia trembled at our presence."

Was it not natural then, for the Chinese, seeing what had passed in India, to feel jealous of allowing any permanent settlement of a British factory within their territory? We had carried on successfully commerce with that people for upwards of two centuries, but a great change took place in the manner of its management in 1833, when the trade was thrown open, and the control and administration of it were removed from the East-India company.

He hoped the house would permit him to read some passages from an admirable letter, written in the year 1832, by the directors of the East-India company to their superintendent, resident at Canton, in answer to a communication received from the latter during the preceding year, stating the circumstances of misunderstanding which had occurred between the superintendent and the authorities at Canton. The right hon. baronet then read a dispatch from the board of directors to British supercargoes at Canton, dated the 13th January, 1832, in which the board stated, that the trade to China had originally been sought by themselves, and that the advantages which it yielded to them were great; and that notwithstanding the attempts which had been made to adopt a belligerent policy, they were convinced that a pacific course was the best to be pursued in their intercourse with the Chinese, and that they would not refuse to China what our own country claimed—the right exclusively to regulate the grounds on which any intercourse would be permitted with other countries. They went on to state their desire to correct a dangerous notion, which was but too common with the merchants who inhabited Canton, which was, that nothing was to be gained from the Chinese by attention to their laws; but that everything was to be gained by intimidating them. "You may, for a moment," said the court of directors, "set the government of China at defiance, but not only do they take the first moment to assert their dominion, but may

take also the first moment to deprive you of some advantages, which either tacitly or openly you have heretofore enjoyed.

In the same paper, a reference was made to the opinion of a revered and noble friend of his, now no more. Lord W. Bentinck had stated, in answer to an application for certain demonstrations against China, that it was quite impossible to doubt that the discontinuance of trade with China would be one of the greatest calamities which could befall the East-India company and the nation; and that he could not lend himself without the sanction of a superior authority, to any change in the pacific policy which had been hitherto invariably and successfully followed towards China.

Sir James Graham next adverted to the fact that he was a servant of the Crown, and a colleague of the noble lord, the secretary for foreign affairs, when the Chinese trade act was introduced. It was in vain to dissemble that the great change introduced with respect to the China trade was attended with considerable danger; and those who had an experience and knowledge of the Chinese, had expressed in a very marked and decided manner their dissent from the course which lord Grey's government adopted. It was impossible for him to refer to any authority more entitled to weight and respect than that of the hon. baronet, the member for Portsmouth. Sir George Staunton, before the China trade act was introduced, and when the question of the renewal of the East-India company's charter was under consideration, took occasion to move certain resolutions, which were not treated with much respect or attention at the time.

The right hon. baronet then read the 6th and 7th resolutions, to the effect that it was indispensably necessary to the security of our valuable commerce with China, that a national treaty should be made between the two countries, without which previous sanction, any attempt to appoint national functionaries at Canton for the protection of trade, would in the then state of our relations with China, not only prove of little advantage to the subject, but also be liable, in a serious degree, to compromise the honour and dignity of the Crown; and that notwithstanding the failure, in this respect, of all complimentary embassies to the court of Pekin, the evidence of the treaties which have been repeatedly negociated by the Chinese government with that of Russia, proves that there is no insurmountable obstacle to such an arrangement. With respect to the latter part of the resolution, attention was paid to it in the act which was introduced; but the hon. baronet's advice, with respect to communications with Pekin was not followed, and had not up to the present time been acted upon. He (Sir James Graham) thought that it would lead to a more clear comprehension of the subject, if the house would allow him to read the clause which was inserted according to the recommendation of sir George Staunton, for the trial of British subjects, even in the waters of Canton. The right hon. baronet read the clause which was as follows:

"That it may be lawful for her majesty, by an order in council, to give to the superintendents, or any of them, power over the trade and commerce of her majesty's subjects in any part of the Chinese domi-

nions, and to make regulations for the government of her majesty's subjects in their dominions; and also, "That he should certainly have the power to impose penalties, forfeitures, and imprisonment, and to make such regulations as may be necessary in the manner specified in the order in council; and that it might be lawful to her majesty in council to establish courts of judicature in those dominions, or in the ports, harbours, and havens thereof, and in the seas beyond one hundred miles of the Chinese coasts."

This brought him to the appointment of lord Napier, and he should draw the attention of the house to the more material parts of his instructions. Previous warning and subsequent experience proved to demonstration that two points in those instructions were erroneous. One was the imperative order given to lord Napier to take up his residence at Canton, and discharge his duties there; no previous communication having been made with the imperial government at Pekin. The next point which he considered erroneous, was the order to lord Napier to announce his arrival by a letter to the viceroy. In the course of what he had to address to the house he should show that the noble lord (Palmerston) and he agreed that there was a defect in the original orders in council. The point where the instructions were defective arose as to the mode in which the power was exercised by the 6th clause of the China Trade Act, whereby a transfer was made of the power enjoyed by the supercargoes of the East-India company to the superintendent. Now when the China Trade Act was passed, the power vested in the supercargoes had ceased to exist under an act anterior to it. The power vested in the supercargoes was the power of withdrawing the licences from those who traded in the waters of China; and the attempt to convey to the superintendent the power exercised by the supercargo was an entire failure, inasmuch as the authority which was sought to be conveyed had been rescinded by an act of parliament anterior to the China Trade Act. Now the portion of the instructions to which he wished to call particular attention was that most solemn direction to the superintendent to the utmost of his ability to protect British subjects. Now observe these words, "not in all their commercial speculations, not in their trade in general without limitation, but in the peaceable prosecution of all lawful enterprises in which they may be engaged in China." His first allegation against the government was, that they committed two errors as demonstrated by experience, and foretold by competent authority; first by directing the residence of a British officer at Canton, and next by holding communication with the vice-regal government. His next point was, that that portion of the royal sign manual instructions to the superintendent which directed him to protect all subjects of Great Britain "in the peaceable prosecution of all lawful enterprises in which they may be engaged in China" had not been enforced by her majesty's government up to that moment.

The right hon. baronet next adverted to the course taken by Mr. Davis and lord Napier, upon each of whom he passed a high eulogium, stating that he knew

the latter to have been a gallant, upright, and honest man; and he believed him to have acted according to the best of his judgment upon his instructions—but that nevertheless he must say he thought that lord Napier had committed two or three palpable errors. First, in turning to page 11 of the correspondence, it would be seen that lord Napier in his first communication to the viceroy of Canton, put prominently forward the fact that he was charged both with political and judicial functions to be exercised according to circumstances. But passing this, he now came to that which was most important. Her majesty's government had before them the warning delivered by the East-India company—they had also the advice which had been given by the hon. baronet the member for Portsmouth (sir George Staunton), that provision should have been made for the recognition of the superintendent at Canton previously to his going out, by means of a communication to the court of Pekin and the imperial authority. Then they had access to that extraordinary memorandum which had been addressed by the duke of Wellington to his colleagues in the year 1835, with that instinctive intuition and manly grasp of mind which enabled him to see the whole of a subject he put his finger on the two defects which he had already touched upon—The noble duke said

"It is quite obvious, from the reports and proceedings, that the attempt made to force upon the Chinese authorities at Canton an unaccustomed mode of communication with an authority, with whose powers and of whose nature they had no knowledge, which commenced its proceedings by an assumption of powers hitherto unadmitted, had completely failed; and as it is obvious that such an attempt must invariably fail, and lead again to national disgrace, the commissioner must not go to Canton without the permission of the Chinese. He must not depart from the accustomed mode of communication."

There was the receipt of the duke of Wellington to restore peace and security to British interests at Canton, yet the noble lord up to that day had rejected all advice, pertinaciously adhering to his instructions to the commissioner to go to Canton, and to the position he had taken on what was known as the "pin" point, on which the noble lord was the most pertinacious, insomuch so, that up to the last despatch of the noble lord in 1839, he still adhered to the "pin" point, enjoining carefully on the superintendent that he was not to affix the degrading character to any letter he might write to the Chinese authorities. The duke of Wellington further recommended the creation of a court of justice, of which he pointed out how the machinery might be made perfect. Well, not one of the suggestions of the noble duke had been attended to, and the order in council remained as it was in 1833. The noble duke had made another suggestion.

I would recommend that till the trade has taken its regular peaceable course, particularly considering what has passed recently, there should always be within the consul-general's reach, a stout frigate and a smaller vessel of war."

Before he sat down, the house would see how this advice had been treated.

Sir James Graham then proceeded to advert to the question of a mission to Pekin, and said he knew that this point had been much canvassed, and that the hon. member for Portsmouth (sir G. Staunton) had been favourable to it. Next to the hon. baronet, he knew no higher authority on the subject than lord Strathallan, and he had his authority for stating that he had warned lord Napier several times not to leave England without an autograph letter to the emperor of China from the king of England. The hon. baronet had also, he believed, recommended the same. Now he (sir J. Graham) held them in his hand, and he would produce if it became necessary in the course of the discussion, irrefragable evidence to show that Mr. Davis, who succeeded lord Napier, that sir G. Robinson, who succeeded Mr. Davis, and that captain Elliot, who succeeded sir G. Robinson, had all insisted in the strongest manner on the propriety of opening some communication with the imperial government at Pekin, and yet in the correspondence which reached over five years, there was not a trace of an answer to these repeated representations to be found—not one trace of any intention to take into consideration the suggestion of an embassy to Pekin; except indeed it were at page 258, where a passage occurred in which the noble lord said, that the "government did not see their way with sufficient clearness to justify them in adopting it at the present moment."

But he now came to the question of the residence of the commissioner at Canton and of the channel of communication. The right hon. baronet then stated, that Mr. Davis, as well as sir George Robinson, finding it impossible to execute the instructions which they had received from the foreign office determined to remain in the outer waters of Canton, and for two years and a half did so remain, without departing from the accustomed channel of communication. But captain Elliot gave effect to his instructions, and what was the effect? From that very moment increased irritation was perceptible, and violence, discord, he might almost say agitation, visited that peaceful region. Captain Elliot felt that his powers were defective, and repeatedly asked for higher powers. Sir James Graham proceeded to read extracts from captain Elliot's correspondence with the foreign office, in which he most earnestly pressed upon the government that no time should be lost in the formation of adequate judicial and police institutions for the government of the king's subjects in the Chinese empire, and that the superintendent should be forthwith vested with defined and adequate powers for the control of the British traders in that part of the world. He then stated, that the noble lord himself admitted this necessity in the strongest possible terms in his letter of November 8, 1836, which he read to the house, and which referred to the opinion expressed by captain Elliot, that the powers given by the act 26 Geo. 3, c. 57, s. 35, to the supercargoes of the East-India company to arrest and send to England persons resident at Canton might be then lawfully exercised by the superintendent of British trade in China by virtue of the order in council of the 9th of December 1833. In answer to this the noble lord said,

"As a misconception on this point might give rise to much embarrassment, both to his majesty's government and to the superintendents personally, I have to state to you for your guidance that the clause of the act of 26 Geo. 3, upon which you rest your opinion was repealed by the 146th clause of the act 33 Geo. 3, c. 52; and further, that the only power exercised by the supercargoes was that of removing unlicensed persons. But as no licence from his majesty is now necessary to enable his majesty's subjects to trade with or reside in China, such power of expulsion has altogether ceased to exist with respect to China."

Now surely it would be thought that naturally when the noble lord had pointed out to him that power which he had not, he would have told him that an order in council was passed which gave to him the power of confining and imprisoning British merchants doing wrong; But nothing like it. Captain Elliot at a later period, in his despair when smuggling of opium was carried to such an extent, that armed boats landed in front of the custom-house, issued directions for organizing a police for the inner waters of China, and sent home an account of what he had done to the noble lord, and he (sir J. Graham) entreated the house to listen to what the noble lord said to this, in a letter dated March 23, 1839. He said in the course of his despatch,

"The law officers have reported that the regulations in question are not in any way at variance with the laws of England, provided they be duly made and issued by her majesty, according to the act of the 3rd and 4th William 4, c. 93, s. 6; but that you have no power of your own authority to make any such regulations."

And what was the ground assigned?

"With respect to the territorial rights of China, the law officers are of opinion, that the regulations, amounting in fact to the establishment of a system of police at Whampoa, within the dominions of the emperor of China, would be an interference with the absolute right of sovereignty enjoyed by independent states, which can only be justified by positive treaty, or implied permission from usage."

Now that was the very question which the noble lord and he in the Grey cabinet discussed, when the China Trade Act was under discussion, that it was *pro tanto* an interference with international law. But the extreme penalty of the case was deliberately held by lord Grey's government to be the excuse for the clause of the bill providing this. This objection ought not, therefore, to be urged by the noble lord, when he had deliberately put a similar provision in the statute-book.

The right hon. baronet then showed, that the Chinese themselves had expressed the greatest surprise at the absence of such authority—as was proved by a passage in the instructions from the prefect and commandant of Canton, jointly to captain Elliot which was as follows.

"The said superintendent came, I find, to Canton, in obedience to commands received from his sovereign, to exercise control over the merchants and seamen; to repress the depraved, and to extirpate evils. Having such commands given to him, he must needs also

have powers. It is very inexplicable, then, that these boats, having in violation of the laws entered the river, he should now find it difficult to send them out again, owing to his not having the confidence of all."

He could conceive, that it would be argued by the noble lord, that an application was made to parliament for an extension of powers. The noble lord did introduce a bill in 1838, which he had resisted. Sir James Graham then explained, that his opposition to this bill rested on the ground that it proposed to give the court to be established at Canton, *civil*, in addition to criminal and admiralty jurisdiction—and that he had contended, that such an extension of power as to enable the superintendent to try actions of debt between British subjects and the Chinese would be most inexpedient—inasmuch as he had no doubt that the Chinese would take every advantage of the court as plaintiffs, but they would never submit to its jurisdiction as defendants, so that it would prove to be a gross hardship on British subjects. On this ground he had offered his resistance and his successful resistance to the bill.

But in case the noble lord should rely on this point, he now came to what he thought was a very grave charge against the noble lord. The noble lord had founded his application to parliament for the introduction of the bill, on the papers which he had presented to the house. Now he (sir James Graham) contended that they were extracts which gave a very imperfect and unfair view of our relations with China at that period. He would ask whether it was not understood that our relations with China were at that time completely amicable; so much so that it was thought that this extension of criminal to civil jurisdiction would not be unacceptable? The noble Lord had said nothing of a serious misunderstanding which existed with the Chinese. The house might have been betrayed with passing that act, which would have been a very great additional cause of irritation; and it was only now, for the first time, that the opium question presented itself in all the aggravated and difficult circumstances which he was now going to present to them. It appeared, that as early as the 3rd of March, 1834, warning was given by the imperial government with respect to the trade in opium. The right hon. baronet then showed, that ample and positive warning had been given to her majesty's government by the supercargoes of the East-India Company, on the great danger which would arise if they took no cognizance of the lawless and piratical trade which the traffic in opium had introduced; and he contrasted this with the conduct of the government when a vessel of the name of the Jardine had, contrary to the wish of captain Elliot, insisted on proceeding up the river to Canton to trade, and captain Elliot had interfered to stop it. The noble Lord had, in answer to captain Elliot's communication on the subject given him a general caution to be very careful in interfering in such a manner with the undertakings of British merchants; and not to assume a greater degree of authority over British subjects in China than he in reality possessed.

Sir James Graham next proceeded to state, that a change in the policy of the Chinese govern-

ment with reference to the opium traffic had taken place; and that a discussion arose in the Chinese cabinet as to whether a prohibitory law or protecting duties should be imposed upon the importation of opium. It seemed, that the prohibitory law was carried by a majority of one. The consequence of this was a marked difference in the conduct of the Chinese authorities at Canton; and a strong disposition was evinced to put a total stop to the trade. Was the noble lord ignorant of this change of policy? On the 15th of May, 1838, a despatch, alluding to the edict, was received by the noble lord. It was dated the 19th of November, 1837. Sir James Graham then read extracts from this despatch and others, subsequently received from captain Elliot at the Foreign Office, which contained urgent warnings, that a crisis in the opium traffic was approaching, and depicted in forcible language the very serious aspect which affairs at Canton were assuming.

Such were the series of cautions from the despatches of captain Elliot, conveying warnings to her majesty's government as distinctly as they possibly could be conveyed. Now, were there any additional instructions sent out to captain Elliot by the noble lord? Nothing like it. Were any additional powers given to the British superintendent? Nothing of the sort. Were the powers exercised by captain Elliot, in his endeavours to restrain this illicit traffic improved? The reverse. All that the noble lord had ever done, as far as he could discover, was contained in one short dispatch, in which the noble lord said,

"With respect to the smuggling trade in opium, which forms the subject of your despatches of the 18th and 19th of November, and 7th of December, 1837, I have to state that her majesty's government cannot interfere for the purpose of enabling British subjects to violate the laws of the country to which they trade. Any loss, therefore, which such persons may suffer in consequence of the more effectual execution of the Chinese laws on this subject must be borne by the parties who have brought that loss on themselves by their own acts."

The right hon. baronet next alluded to what he called "the curious distinction" made with respect to the outer and inner waters of Canton, and shewed, that while captain Elliot made vigorous resistance to any claim on the part of the Chinese to the right of search in the former, he enjoined compliance with it in the latter.

He now came to that which he conceived to be a most material part of this subject; namely, the absence of a naval force. It would be remembered, that among other recommendations made by the duke of Wellington, there was one that there should be at all times, with a view of enforcing a system of police among the British subjects, "a stout frigate, and a smaller vessel of war at the command of the superintendent;" and in a despatch in 1837, the noble lord opposite, with great perspicuity stated the objects of such a force. Though somewhat late in the day, the noble lord adopted the advice given by the duke of Wellington in 1835; and wrote to the Lords of the Admiralty to direct the admiral commanding in the East Indies

to send ships to China. In this despatch the noble lord stated, that,—

"The appearance of the British admiral in the river of Canton must bring about an arrangement of the matters in dispute."

Therefore the noble lord fully appreciated the objects for which a naval force might be sent, and the moral influence the appearance of that force would have on the Chinese government. Now, the dates in the matter were important. The duke of Wellington intimated the necessity of a naval force on the 24th of March, 1835; but the noble lord never requested that force to be furnished by the Admiralty until September, 1837, that was to say after the lapse of two years and a half. But were there during that time no urgent representations made to the noble lord of the necessity of the presence at Canton of such a force? He held in his hand various representations made at various times by the superintendent all urging upon the noble lord in the strongest manner the danger which would be incurred from the continued absence of a naval force. He had no efficient return, but from the papers on the table of the house, he was enabled to make the conjecture, that from March 1835 to September, 1839, fifty three months elapsed; and during that time there was no ship of war at Canton, except for the space of eight months.

With regard to the conduct of captain Elliot he was bound to say, that up to this period it seemed to him, that that officer in this complicated transaction, considering the extreme difficulties in which he was placed, had acted on the whole with great energy and discretion. But he now came to a period in these events, when he could not speak of captain Elliot in the same terms of commendation. The circumstance to which he alluded, was the attack on the three war junks, mentioned in captain Elliot's letter of the 5th of September, 1839. In that despatch captain Elliot admitted, that he had fired the first shot; and he justified his gallant impulse by stating his belief, that an insult had been offered to the British flag. The proceeding was altogether unwise, for the gallant captain did not anticipate a conflict; but he converted his visit into a hostile one at the same time, that he went without sufficient preparation to make that hostility effective. It appeared from the despatch, first, that captain Elliot commenced the attack; next, that he attempted to board one of the junks; and then, notwithstanding that he was the aggressor, he was compelled, to use his own words, "to haul off." Such a course, though perhaps rightly intended, was the most unfortunate that could possibly be adopted. What was the next step taken in this unfortunate transaction? Without any declaration of war, a belligerent step was decided on, and a blockade was declared. A remonstrance was made against this blockade by the American merchants, and immediately after this remonstrance the blockade was raised. What was the inference which the Chinese would naturally draw from this course of proceeding? Why they attributed it to fear, and the result was, that it served to increase their boldness and violence. Then ensued the attack on the vessel in which Mr.

Moss was mutilated, and the Lascars killed.

The right hon. Baronet concluded a most able and powerful speech in the following terms. He might, he said, be deceived, but to his apprehension, it appeared that this was no little war, nor one which, as some appeared to think, would be terminated by a single campaign. It was one which would be attended with circumstances no less formidable than the magnitude of the interests which were at stake. If a war with China were to take place, it should be remembered that it was a contest which would be carried on at the remotest part of the habitable globe, and where the monsoons would naturally interfere with the communications which must be had with this country. It was to be carried on at an immense distance from all our naval stations. The squadrons which would be sent out would be exposed to dangers of all kinds. When they saw, on the part of her majesty's advisers, the most pertinacious adherence to the erroneous course repudiated both by experience and reason—when they saw that they attempted to force on a proud and powerful people a mode of proceeding to which the weakest would not tamely submit —when they saw that the advice of one of the greatest and most prudent of our statesmen, who himself had warned them, was disregarded and rejected — when they saw repeated warnings given by the servants of the same administration equally unattended to— when they saw that branch of the trade which the confidential servants of the administration had declared to be piratical not put down by the interference of her majesty's government—when they saw nothing done or attempted to be done, whilst her majesty's superintendent was left without power, without instruction, and without force to meet the emergency which must have been naturally expected to follow, he could not help asking the House whether they did believe, that the people of this country would patiently submit to the burden which this Parliament must of necessity impose. And whether that people could repose confidence in an administration, that by a mis-management of five years had destroyed a trade which had flourished for centuries, and which in addition to the loss which the country had already undergone had almost plunged it into a war, in which success would not be attended with glory, and in which defeat would be our ruin and our shame.

The right hon. baronet concluded with moving that.

"It appears to the house, in consideration of the papers relating to China, presented to this house by command of her majesty, that the interruption in our commercial and friendly intercourse with that country, and the hostilities which have since taken place—are mainly to be attributed to the want of foresight and precaution on the part of her majesty's present advisers, in respect to our relations with China, and especially to their neglect to furnish the superintendant at Canton, with powers and instructions calculated to provide against the growing evils connected with the contraband traffic in opium, and adapted to the novel and difficult situation in which the superintendent was placed.

Mr. Macaulay, who rose next

after sir James Graham, commenced by saying, that the anxiety which her majesty's ministers could not but feel as to the judgment which the house might pass upon the papers which had been presented to them, had been considerably allayed by the terms of the motion of the right hon. baronet—and he must think it a matter on which her majesty's ministers might congratulate themselves, that on a close examination of a series of transactions so extensive, so complicated and in some points so disastrous, such an assailant could produce only such a resolution. In the first place, the terms of the resolution were entirely retrospective, and not only so, but they related to no point of time more recent than a year ago. All the complaint was, that they, her majesty's government, had not foreseen what circumstances might by possibility arise, and that they had not given power to the representative of her majesty to meet any such unforeseen circumstances.

The right hon. Gentleman then proceeded to defend the policy of government, on the ground that the immense distance between this country and China, rendered it impossible for them to give their representative instructions as full and as precise as they ought to have done, and would have done if he had been nearer to them. He was ready to admit without hesitation, that if the papers then on the table of the house related for instance to negotiations carried on in Paris, a foreign secretary giving instructions so scanty and so meagre to the representative of the British government would be to blame. What, however, were the omissions of which the right hon. baronet complained? They were four in number. First that they omitted to correct a point in the order in council, which directed the superintendent to reside in Canton; secondly, that they had omitted to correct the order in council on the point which shewed the superintendent a new channel of communication with the Chinese government; thirdly, that they had omitted to act upon the suggestion of the memorandum of the duke of Wellington, to keep a naval force in the neighbourhood of Canton; and fourthly, what was most important of all, that they did not give sufficient power to the superintendent to put down the illicit trade.

With regard to the first, the answer was, that no dispute as to the residence of the superintendent had anything to do with the unfortunate rupture; and that dispute was perfectly accommodated; for two years before the rupture the point had been fully conceded in the most formal and honourable manner by the Chinese authorities. As to the second, the answer was, that the Chinese government had fully conceded that point also. Negotiations had taken place between captain Elliot, and the Chinese authorities, and the dispute was, in fact, at an end. The third charge was, that the government had not provided a vessel of war to be stationed on the Chinese coast. What was the recommendation of the duke of Wellington in reference to this very subject? It was, that a vessel of war should be off Canton ready to act, until the trade of the British merchants should return to its proper channel. He was confident that nothing was contained in any of the duke of Wellington's prior despatches which could be taken to

exhibit any desire on his part, that there should be a naval force constantly upon the Canton station, to await any calamitous event which might take place. The fourth point was, that the English government, having legal authority to do so, had omitted to send to the superintendent at Canton proper power, for the purpose of suppressing the illicit trade—which they knew was carried on there. The right hon. gentleman then argued at considerable length that there had been every reason to expect that the Chinese government would legalize the traffic of opium—and that, therefore, it would have been premature and inexpedient to send out instructions to the superintendent authorizing him to seize and send home any British subject who should have been found carrying on that trade. He insisted also on the impracticability of giving effect to any prohibition of the illicit traffic, except by the exertions of the Chinese themselves; and asserted his belief that the positive prohibition of the opium trade by captain Elliot unsupported by physical force, would have been inadequate to put the trade down. As to whether it were wise or not on the part of the Chinese government, to prohibit the importation of opium, there might be a doubt, but on that point the governor of China alone was competent to decide—but when they resorted to measures unjust and unlawful—confined our innocent countrymen, and insulted the sovereign in the person of her representative, then he thought the time had arrived when it was fit that we should interfere.

The right hon. Gentleman concluded his speech in terms somewhat at variance with the opening part of it, by saying, that with respect to the present motion whatever its result might be, he could not believe that the house would agree to a vote of censure so gross so palpable or so unjust as that which was conveyed in its terms, and he trusted, that if ever there was to be a change of men consequential upon the conclusion of the debate, there would at all events be no change of measures.

Sir W. Follett, next addressed the House in a very able speech in which his great object was, to prove that there had been with reference to the Chinese question a total and an unjustifiable neglect on the part of her majesty's government, and that their attention seemed to have been wholly withdrawn from its consideration. For this purpose he read a variety of extracts from the despatches of captain Elliot, earnestly pressing the dangers of the traffic in opium upon the attention of the foreign office—and soliciting powers which would enable him to suppress the illicit trade which was being carried on, and he shewed that great and as he thought unpardonable delay had taken place in the answers of lord Palmerston to those urgent applications, and that upon the particular subject of the opium trade the only allusion with reference to it, to be found in the noble lord's despatches—was the vague generality, "We cannot interfere for the purpose of enabling British subjects to violate the laws of the country with which they trade."

In the course of his speech sir William Follett gave the following account of the mode in which the supercargoes under the East-India Company acted. The company took from their own ships

and officers a bond that they would obey the orders of the supercargoes. This gave them control over the East-India ships and officers. No ship could trade to China at all without having a licence from the East-India Company, which was always accompanied with a proviso, that the licence should be void if the ship or its officers did not obey the orders of the supercargoes. What was the consequence? By an act of parliament, if any ship entered Canton, whose licence had been revoked or forfeited, it was liable to be sold; and any person resident in China without a licence, or with a licence revoked, might be arrested by the supercargoes, sent as a proviso to England, tried, convicted, fined, and imprisoned, for that offence. The supercargoes had therefore complete and positive control. The learned gentleman then shewed, that when the East-India monopoly was abolished, an act was passed by the legislature, with the intention of arming the government with power to grant to the superintendent at Canton, such authority over the ships and commerce of that port, as might be considered necessary; but, that in fact no such power at all was conferred by the act. Notwithstanding this, and notwithstanding lord Palmerston had been repeatedly told, that the superintendent had no such power, and that it was necessary he should have power, the noble lord had done nothing to invest him with power or supply him with instructions.

Sir George Staunton followed sir William Follett in debate, and commenced by alluding to the resolutions (referred to in the speech of sir James Graham) which he had proposed to the house some years previously. All he could say with respect to those resolutions after the fullest consideration he could give them, was, that he fully adhered to every word they contained. Considering as he did, though very reluctantly, that this war was absolutely just and necessary, under existing circumstances, he rejoiced to find, that it had received the tacit approbation of that house. He was not advocating the particular policy of the ministers when he said that he thought this war necessary, for he was not at all in the confidence of the government. With respect to lord Napier, he believed, that in that case our government was entirely wrong, and he lamented that proper steps had not been taken to secure his recognition.

With respect to the immorality or impolicy of the opium trade, he yielded to no member of the house in his anxiety to put it down altogether. But the question between us and the Chinese government with regard to the opium trade, was not a question of morality or policy, but a question whether there had been any breach of international rights or international law. Now, from the earliest period foreigners had not been permitted directly to come before the Chinese tribunals, but through the medium of the Hong merchants; the remedy was, first, against their sureties; then against the property of the party. Up to the arrival of commissioner Lin, there was no other law.

There had been no other remedy against the importation of opium than these; the remedy upon the property of the person extending to confiscation of all found within the river of Canton;

but there was no law which reached property out of that river. When the imperial commissioner arrived at Canton he brought with him a new law of a very extraordinary and severe character; a law denouncing death against any foreigner that traded in opium, and subjecting his property to confiscation to the crown. However severe this law, it might be justified; but to attempt to punish those under the new law, who had arrived in China under the old law, must be condemned by all parties as a most atrocious injustice. Such an act, without looking at all to any subsequent events which had occurred, was a full justification of the measures which had been taken to exact reparation. Our empire in the east, was founded on the force of opinion; and if we submitted to the degrading insults of China, the time would not be far distant when our political ascendancy in India would be at an end.

If ever the opium trade were put down it would be by the co-operation of the Chinese government with our own. That co-operation could be maintained only by a treaty, which he hoped would be established; and the measures now in force appeared to him to afford the only prospect they now could have of putting down a traffic of which he was anxious to see the end. In the motion of the right hon. Baronet (sir James Graham), he certainly could not trace what other line of policy ought to have been pursued. He (sir George Staunton) was prepared to say what, in his opinion, ought to have been done. He thought at the time of passing the resolution of 1832, that that was a very improper proceeding. He was quite aware of the difficulties connected with the opium trade; but he thought those difficulties ought to have been grappled with at the time; the committee then had sufficient evidence of the nature of the opium trade. And a better system might gradually have been introduced, and the best lands of India might have been made to produce that which was beneficial to man, instead of being devoted to the cultivation of such a pernicious article. The parliament of that day, however, had approved of the resolution of the committee, and the right hon. Baronet himself among others had approved of it. He therefore thought it in the highest degree unjust to visit upon her majesty's present ministers the consequence of a system which had received the approval of the house and the country. With regard to the orders issued by his noble friend, the secretary of state for foreign affairs, having read all the papers before the house with the utmost attention in his power, he was bound to say, that he could not at all connect the unhappy state of things in that country with those orders. With regard to the immediate cause of rupture, he thought that was entirely attributable to the conduct of the imperial commissioner Lin; and he thought, that neither his noble friend nor any other person acquainted with the habits of the Chinese people, could have at all anticipated the conduct of that commissioner. With regard to the conduct of captain Elliot, he (sir George Staunton) thought that he had exhibited great gallantry and anxiety to do his best for his country; and what appeared to be vacillating policy on his part was only extreme anxiety to meet the

various exigencies of the case. Upon the whole having considered the orders that the government had issued, he could see no ground for fixing on those orders the present unhappy state of affairs, and he therefore felt bound to give a decided negative to the motion of the right hon. baronet.

The house was then addressed by Mr. Sydney Herbert, Mr. Thesiger, Mr. W. E. Gladstone, Mr. G. Palmer, and viscount Sandon in favour of the motion, and by Mr. Hawes, Mr. C. Buller, Mr. Ward, sir S. Lushington, and sir J. C. Hobhouse against it.

In the course of his speech Mr. Thesiger corrected an error into which the member for Edinburgh (Mr. Macaulay) had fallen when he said, that the charge of an attempt on the part of the superintendent in pursuance of his instructions to force his residence at Canton, fell entirely to the ground, inasmuch as that point had been conceded by the Chinese Government. He (Mr. Thesiger) proceeded to shew, that the permission which was given to captain Elliot, was precisely the same which had formerly been conceded to the old supercargoes, and that this was the case he would prove by referring the house to the edict in question. It contained amongst other things the following passage with reference to the residence of the superintendent at Canton.

" In future he is to reside sometimes at Macao, and sometimes at Canton, conforming herein to the old regulations; and he must not be permitted to exceed the proper time, and by loitering about gradually to effect a continued residence."

The first point therefore remained just where it did when the right hon. Baronet, the member for Pembroke, made his statement to the house.

Mr. Gladstone, in alluding to the conduct of the Chinese, after captain Elliot had prohibited the British shipping from going up to Whampoa, and had stated, that he would establish himself with the English merchants at Lintin, said, " It was a claim on the part of the British merchants to go to the very focus of smuggling; and this afforded a suspicion, a seemingly well-founded suspicion, to the Chinese, that it was their intention that the opium trade should be resumed there. The Chinese had no armament ready wherewith to expel us from Lintin. They therefore said, ' we will resort to another mode of bringing you to reason. We will expel you from our shores by refusing you provisions,' and then of course they poisoned the wells. [*Cheers from the ministerial benches.*] I am ready to meet those cheers. I understand what they mean. I have not asserted, I do not mean to assert, that the Chinese actually poisoned their wells. All I mean to say is, that it was alleged that they had done so. They gave you notice to abandon your contraband trade. When they found that you would not, they had a right to drive you from their coasts, on account of your obstinacy in persisting in this infamous and atrocious traffic."

In animadverting upon this part of Mr. Gladstone's speech, sir S. Lushington expressed himself in the following terms. " But even if it were true that the British government were dilatory in issuing instructions to the superintendent in China, and if they had neglected the opportunity of doing

what they ought to have done—still nothing according to every principle of justice and eternal truth could justify China in those measures, to which it had had recourse. I will discard the law of nations—I will look alone to the law of God, and to the law of man—to those eternal principles which must exist as long as man and man have the power of conversation and intercourse with one another." The hon. Member for Newark (Mr. Gladstone), I am distressed to say, has gone the whole length. I trust that those who follow me in this debate, will not tread in the steps of that hon. member. I respect that hon. member—I admire his talents—I know the hon. gentleman, to be a powerful champion in every cause he thinks to be right, but I own I shall never cease to reprobate the argument which the hon. gentleman used last night, or to avow my abhorrence of the doctrines the hon. gentleman endeavoured to maintain."

"Upon what principle can the seizure of men who were living in Canton under the protection of that country's usages be justified? Not only were those 200 persons, without any proof or trial, maligned, but they were seized; and then under the greatest durance, and under the threats of their being suffered to die of starvation, they had not only their own property extorted from them, but in order to enrich the Chinese government the feelings of their countrymen were likewise practised upon to compel them to surrender property, in order to save the lives of those long-enduring and most innocent persons. That was an act of atrocity which no usages, no custom, no respect to popular prejudices in China, ever would or ought to allow England to endure, much less to sanction. It was a grievous sin—a wicked offence—an atrocious violation of justice, for which England had the right, a strict undeniable right to demand reparation by force if refused peaceable applications. What followed? Expulsion. Was it expulsion alone from Canton? No: it was expulsion to Macao, which was in possession of the Portuguese. To this place they sent unoffending men, women, and children. What next? Why that very practice which from all history from the earliest days in which it ever was attempted, from the days when it was practised in Egypt, now probably 2,500 years ago—even during the time of open war, and even at periods when it might be said, almost to be done in self defence, has met with the unequivocal reprobation of the world, the practice, not of cutting off the supply, but of poisoning that source of life, by which not the enemy alone but innocent women and helpless children, were indiscriminately exterminated; and yet to my everlasting wonder and astonishment, there fell from the hon. member for Newark another ever memorable expression. The hon. member said, that the English were ordered to quit; they did not obey; they were deprived of provisions; and "of course" continued the hon. member, "the water was poisoned." These were the very words; I heard them at the time; they are so reported, and they are true. I might go on—but there is already ample justification for the course that the government has taken, and when I consider all the causes which have led to the rupture—the position is

quite clear that England is by every principle of justice and of right entitled, and she has authority by the law of God and of man to demand redress; but, be it understood, not for a war of "blood and of reprisals."

Sir J. C. Hobhouse in the course of his speech said, with reference to the charge against the government respecting the opium trade—that a committee sat in 1810 to discuss the renewal of the East-India Company's charter, and at the same time examined the case of the opium trade—but that committee said nothing against the smuggling of opium. There was another committee which inquired into the same subject in 1832—which did make a report as to the smuggling trade. Various witnesses were examined; the atrocities of the trade were inquired into; a report was drawn up and the evidence given—and the whole bearing of the trade were thoroughly sifted. What was the opinion of the committee of 1832? Why that as the opium trade of Bengal produced 981,283*l.*, it was not desirable in the existing state of the revenue of India to put an end to it; the more so as the duty fell chiefly on the foreign consumer. Sir J. Hobhouse then went on to state that when Mr. Grant (now Lord Glenelg) in 1833 entered into a long and eloquent detail of the iniquities of the opium trade, the right hon. baronet (sir J. Graham), who then sat beside Mr. Grant as a colleague remained perfectly mute—and said not a single word on the subject—and that there was not on that occasion a single other member of the house who said anything about it except Mr. Buckingham, who got up and exposed the whole traffic, and charged the East-India company with openly cultivating this drug for the purpose of smuggling it into China. The present government, therefore, were not to be charged, because the opium trade had been long encouraged, both in India and in China. It was an old sin, if it was a sin at all. The right hon. gentleman then proceeded to contend that it was impossible to put down opium smuggling and hopeless to attempt it.

Sir Robert Peel began by defending the terms of the motion then before the house, against the charge that it was retrospective—and shewed by the examples of Mr. Fox and lord Lansdowne during the last war, that it was quite possible for the same man to admit the necessity of a war, and feel an imperative obligation to censure those by whom the war was originated. The charge against the government was not that it had not sufficient foresight to know what the emperor of China was going to do, but that after the termination of the relation between China and the East-India company, which had continued for 200 years, and after an immense change, therefore, in the position of this country with respect to China—her majesty's government sent a gentleman to China to represent the crown of this country without the powers which they might have given him, which it was their duty to have given him, without instructions which he was competent to receive—and without the moral influence of a naval force, the advantage of which was demonstrated by the papers before the house. The government ought to have supplied captain Elliot with proper powers. It should have said what regulations were to be established—

what offences were to be breaches of those regulations; and then have constituted a court of admiralty and criminal jurisdiction, as they might have done. They had given their representative what was worse than no power, the semblance without the reality. They not merely withheld instructions—they gave him contradictory instructions; and then they pretended that on account of the distance it was difficult to explain the course which he was to pursue. The right hon. gentleman (sir J. C. Hobhouse) said, it was impossible for the government to suppress the opium trade. That might be, it might be impossible. But after the despatches which arrived in this country with reference to the opium trade up to the 13th of June, 1839, and after that trade had assumed a ten times more formidable character than it had in the preceding periods, and the urgent warnings and remonstrance of captain Elliot, he (sir R. Peel) asked, whether on a subject of such immense and complicated interest, such an answer as that returned by the noble lord (lord Palmerston), was a proper reply to the communications received by the British government?

The right hon. member then read the despatch on which lord Palmerston said, with reference to the steps taken by captain Elliot.

"I have to signify to you the entire approbation of her majesty's government, of your conduct in those matters. But I have at the same time to instruct you, not to omit to avail yourself of any proper opportunity to press for the substitution of a less objectionable character than the character "Pin," on the superscription of the communications which you may have occasion to address to the viceroy."

For the right hon. gentleman (sir J. C. Hobhouse), to get up and say, that such an answer was worthy of the occasion would, if he had not heard him, have exceeded the bounds of his credibility. The right hon. baronet proceeded to say, that he meant to confine himself to the charge that her majesty's government did not give to their superintendent the powers which they might have given—powers which were essential to the performance of his functions—powers with which by the act of parliament they were fully entitled to invest him—and powers which, if he had been supplied with them, might have materially contributed to avert the calamity which had befallen us. Sir Robert Peel then went into the question of the steam-boat Jardine, which in 1835 captain Elliot had in vain attempted to prevent proceeding to Canton, and asked what had hindered the government two years before from giving to their superintendent at Canton—powers necessary to prevent a vessel like the Jardine from ascending the river—and to avoid that rupture which took place at a later period in consequence of the ship, Thomas Coutts, going up the river to Canton? The right hon. baronet next proceeded to establish with respect to the trade in opium, which her majesty's government said was uncontrollable by the British government, that if the superintendent had had proper powers, some at least of the great evils which the opium trade involved in it might have been avoided. For this purpose he quoted a conversation between captain Elliot and Howqua, one of the most intelligent and eminent of the Chi-

nese merchants in which the latter earnestly expressed his opinion that all that was wanted to preserve peace was, that the superintendent should have control over the English traders who came to this country.

What answer would be given to this charge of not having invested the British representative with the requisite powers? It would be said, that application had been made to parliament to give the powers requisite, and that parliament did not meet the views of the government. He (Sir R. Peel) would give the history of that application. In January, 1836, the government knew that the powers were defective, the order in council was a mockery. The session of 1836 commenced. No step was taken. In 1837 a bill was brought forward, but not till the 28th of June. It passed the house of commons without debate. It was withdrawn from the Lords also without debate, on account, it was said, of the lateness of the session. This was on the 10th of July. Parliament was prorogued on the 17th; that was to say, the government knew in January, 1836, that the superintendent had not requisite powers; yet parliament was not moved to give the powers by legislation until 1837, when the bill was withdrawn without remonstrance, and without a word, good, bad, or indifferent, being said upon it: 1838 arrived, and they applied again to parliament for increased powers. They brought in the bill on the 30th of April, 1838, and there were, he believed, thirty-two postponements from day to day. It passed the house of commons in July. This bill which had been unopposed in the commons and had been withdrawn from the lords on the 10th of July, 1837, did not appear in the house of commons till the 28th of July, some twenty days after it had been withdrawn from the lords in the previous session, on account of the lateness of the period. Papers were presented to the house on that occasion calculated, if ever papers were, to mislead them. The house would be led to infer from this correspondence, that every thing was in a satisfactory state with respect to our position in China. An opposition was made to the bill and it was withdrawn. But what did that bill effect? It merely added a civil jurisdiction to the jurisdiction which existed before.

The right hon. baronet concluded his speech in the following words "Again and again, I say, do not enter into this war without a becoming spirit—a spirit becoming the name and character of England. Do not forget the peculiar character of the people with whom you have to deal, and so temper your measures that as little evil as possible may remain. Remember that the character of the people has lasted for many generations, that it is the same now which was given to them by Pliny and many subsequent writers. It is your duty to vindicate the honour of England where vindication is necessary, and to demand reparation whenever reparation is due. But God grant that all this may lead to the restoration of amicable relations with China, with little disturbance of our relations with other nations. In the absence of every confidence in her majesty's ministers, I will express a wish in which the party of the right hon. member for Edinburgh would join. I would pray the Almighty Disposer from whom

all just counsel and good works proceed. I pray to God that he will dispose the minds of the people, and defend them from the evils which they may deserve. I pray to God that he will avert from them the calamities, and turn from us the evils which, I must say, the neglect and incapacity of our rulers have most righteously deserved."

Viscount Palmerston next rose, and commenced his speech, by saying, that if the resolution of the right hon. baronet who had opened the debate were not so pointedly directed at the department which he had the honour to fill, he should not have thought it necessary to address himself to a motion so feebly enforced as the one then under discussion. He complained, that when the charge brought against the government was one of omission, neither the resolution nor any of those who supported it, stated what should have been done. He was happy, however, to find, that all who had spoken on the opposite side, with a few trifling exceptions, had dwelt on the conduct of captain Elliot in terms more of approval than of criticism. He felt it due to captain Elliot, whose zeal, courage, and patience, had been signally exhibited in these transactions, to clear up two points upon which his conduct had been subjected to criticism. These were, that he had encouraged the contraband traffic in opium, and that he had prepared to protect the opium vessels from attack. The noble lord proceeded to contend, that in these respects, captain Elliot had been justified in the course he had taken, inasmuch as he was acting in point of fact in self-defence.

The right hon. Baronet (Sir R. Peel) had said, that the superintendants were not furnished with those instructions and powers which it would have been the straight course to have pursued. But he (lord Palmerston) asked what were the instructions and powers which ought to have been sent? Hon. members opposite did not choose to say, what those precise instructions and sufficient powers ought to have been. He must say, that he had given such as he had considered necessary; but it was said, that if the government of 1835 had continued in power, they would have settled things differently—and as a proof that such would have been the case, he was referred to the memorandum of the duke of Wellington. The document was a very clear one; but he must say, that it appeared to him to fall into the same error as hon. gentlemen opposite, in supposing that courts had not been established in China, and that some order in council was necessary for the attainment of that object. If that was a correct view of the meaning of the document, then he must say, it was a misapprehension of the case, for those courts had actually been established.

As to the recommendation, that till the trade returned to its peaceable channel, a stout frigate and a smaller vessel of war, should always be within reach of the superintendant; he must say, that that advice was at variance with the principle acted upon by the East-India company; and at variance also with the principle on which the instructions to lord Napier were founded. But he had himself written to the Admiralty to send out a ship of war to China for the protection of British sub-

jects—and further, the admiral on the station had been directed to go himself to China, in order that by personal communication with the superintendant, arrangements might be made, whereby naval protection might always be afforded in case of necessity. As to the opium trade, he denied that if parliament had given the ministry the power, and they had given the superintendant the right of issuing an order for prohibiting British subjects from engaging in that trade, it would have been obeyed. The trade expelled from Canton would have taken refuge in other places. It would have gone along the coast of China studded with islands, indented with harbours lined with cities and towns, all thirsting for trade of whatever description, but most eagerly for trade in this especial article; and instead of being concentrated as now, it would be diffused over all that immense extent of district. Without a vast police and preventive force, the instructions which ministers were ridiculed for not sending, would have been nothing more than waste paper. Our merchants, too, would carry on the trade under the American flag—under that flag they would snap their fingers at our cruisers—and thus the trade in opium would not be put down. Instead, therefore, of thinking himself liable to the censure of the house, he absolutely claimed merit for not having given to the superintendant at Canton such powers and instructions as the right hon. member for Pembroke recommended. But it had been said, that we ought to have sent an embassy to China. He thought, however, that it would have been an unwise policy to send an ambassador there, when the only practical measure which we could have proposed to the Chinese government was, to join with them in putting down the trade in opium. The noble lord afterwards read a memorial, addressed by a number of American merchants to their own government, in which they condemned the course adopted by the Chinese commissioner Lin as unjust and no better than robbery, and recommended vigorous co-operation on the part of America and France with the British government in obtaining satisfaction and placing the foreign commerce upon a safe and advantageous footing. He read also a letter addressed to himself by thirty respectable firms in London engaged in the China trade, who declared their deliberate opinion, that, unless the measures of the government were followed up with firmness and energy, the trade with China could no longer be conducted with security to life and property, or with credit or advantage to the British nation. The noble lord concluded by expressing his conviction, that those who supported ministers early in the session on the want of confidence vote would not desert them now, and that they would support them in resisting this motion of censure which they did not deserve, and this palpable endeavour to substitute another ministry in their place.

The house then divided on the resolution, when there appeared:—Ayes 262; Noes 271: Majority 9.

So the motion was negatived.

CHAPTER VI.

AFFAIRS OF IRELAND. *Lord Morpeth moves second reading of the Irish Municipal Corporations Bill—Debate thereon—Second Reading carried by a Majority of* 135—*Debate on Question of Third Reading—Discussion as to Right of Members to read an Extract from a Newspaper in the course of his Speech—Third Reading carried by a Majority of* 148—*The Bill is introduced into the House of Lords by Lord Melbourne—Debate thereon—Speech of the Duke of Wellington—Lord Winchilsea and others oppose the Bill—Second Reading carried by a Majority of* 99—*Speech of the Bishop of Exeter on occasion of going into Committee—Bill in Committee—Protest of the Bishop of Exeter against the passing of the Bill—Registration of Voters in Ireland Bill introduced by Lord Stanley—Debate thereon—History of the Progress of the Bill in the House of Commons—Violent Opposition on the part of the Government and the Irish Members—Bill withdrawn by Lord Stanley in consequence of the lateness of the Session—Ministers withdraw their English and Irish Registration Bills—Importation of Flour into Ireland Bill—Opposed by Mr. E. Tennent and others—Carried by a majority of* 52—*The Marquis of Westmeath moves for a Committee in the House of Lords to inquire into the Election of Poor-law Guardians in Ireland—Discussion thereon—The Motion is withdrawn—Mr. Plumptre in the House of Commons proposes that the Grant to Maynooth College be discontinued—Speeches of Lord Morpeth, Sir R. Inglis, Mr. Sheil and Sir Robert Peel—Motion negatived by a Majority of* 79.

MUNICIPAL CORPORATIONS (IRELAND) BILL. On the 14th of February viscount Morpeth moved the second reading of the Irish Municipal Corporations bill.

Sir Robert Inglis in opposing the bill declared his conviction, that if it passed into a law it would operate as a heavy blow and great discouragement to the Protestant religion in Ireland. It was stated that a compact had been entered into between the right hon. members, with whom he (sir R. Inglis) generally acted, and the hon. gentlemen opposite, that on the condition of a Tithe bill passing which would secure to the Irish church its revenues, no impediment would be thrown in the way of a municipal bill being introduced. Now to that compact he never had been, and never would be a party. And even if such a compact had been entered into, the hon. and learned member for Dublin had by his conduct

violated the condition, and for that reason the contract or compact was at an end; they were induced to support the present bill on the ground that the interest of the church had been secured by the Tithe bill, and the individual who possessed more power than any other man had ever possessed in Ireland, told them that this interest of the church should not be secure. The bill being a virtual transfer of the power then possessed by the Protestants into the hands of the Roman Catholics of Ireland, he should move as an amendment that the bill be read a second time that day six months.

Mr. Litton seconded the amendment. He said it was generally believed that a compact either implied or understood had existed between the government and the conservative party, the object of which was to bring about a satisfactory settlement of those Irish questions, the continued agitation of which was fraught with so much mischief. The hon. member then contended that if there was such a compact, the government by their conduct had broken it, and that therefore this conservative party were in honour and justice relieved from the observation of its conditions any longer.

Mr. Shaw said, that he intended to vote for the second reading without pledging himself as to any of the details of the bill. He felt bound, both by consistency and good faith, to take that course, because he saw the good effects of the Irish Tithe bill, in the increased security of the Irish church, and the improved condition of society in Ireland. The Poor-law was, he believed, notwithstanding some drawbacks and difficulties coming into useful operation; at all events it supplied a safe criterion of franchise. He had not heard any of his hon. friends contend that the Irish corporations could be retained in their present form: for his own part, considering the altered laws and circumstances of Ireland, he thought that object was not possible nor desirable, and from first to last in all the discussions of the subject, he had never either there or elsewhere given a different opinion. It was his positive conviction that the continuance of the Irish corporations in their present decayed and declining state, was rather an injury than a service to the conservative party. He should, therefore, vote for the second reading of the bill, and endeavour in the committee to make considerable amendments in the details to many of which in their present shape he objected.

Mr. Sergeant Jackson said, that he would vote for the second reading, but he would oppose the bill in every subsequent stage unless it were so altered as to satisfy him that it would not convert the municipal corporations in Ireland from Protestant communities into exclusively Roman Catholic institutions.

Mr. O'Connell made a short speech in favour of the bill, in the course of which he said, that if the meaning of the bill were to take power from a Protestant because he was a Protestant, and to give that power to a Catholic because he was a Catholic, he (Mr. O'Connell would oppose it most strenuously; but the complaint under the present system was, that the Roman Catholic did not get that power and privilege which he was justly entitled to. He would instance the city of

Dublin, where for forty-seven years Roman Catholics were eligible to be admitted to the corporation, and notwithstanding that the law permitted their admission, and that there were numbers of Roman Catholics amongst the gentry and merchants and the shopocracy as they were called, and persons connected with the law, yet during those forty-seven years not one of them had been admitted. Let him be shown any provision in that bill which gave a preference in civil rights to a man because he was a Catholic, and no one could be more ready to expunge it.

Sir Robert Peel spoke in favour of the second reading, and said with respect to the fulfilment of the pledge which he had made, for he would not call it a compact, he declared that if there had been a satisfactory Tithe bill passed, and a franchise established on the voting of the Poor-law bill, in that case they could apply themselves to the settlement of the corporation question in a form which would be satisfactory. He had no disposition to say, that the agitation with respect to the Tithe bill released him from that. The right hon. baronet then observed, that he doubted the policy of making the hon. and learned gentleman opposite (Mr. O'Connell) of so much importance, and so far as the operation of the Tithe bill was concerned, he would not so far compliment the hon. gentleman as to say that he had such power over the Catholics of Ireland that they would consent to unsettle the Tithe bill at his suggestion. He (sir Robert Peel) would state why he had adopted a different course with respect to the corporation bill from that which he pursued on a former occasion. He entertained the opinion that it would be better for Ireland if the people of that country would generally consent to the abolition of corporations, when he found that that course was not satisfactory, and that it was felt as a humiliation and a degradation that there should be any difference between the mode of treating the corporations in Ireland from that which has been adopted in England; he saw that those feelings of dissatisfaction entered as an important element into the question. He had proposed that the existing corporations should be abolished in Ireland, and that no other similar bodies should be established in lieu of them, for he conceived it impossible to proceed with the principle of self election in Ireland after the corporations had been abolished.

The right hon. baronet then proceeded to show that he had on two occasions attempted to establish this principle, but had on both been left in small minorities. On the motion for the abolition of the corporations in 1836, he and those who agreed with him on the subject were in a minority of 64, and in 1837, when they repeated it, they were in a minority of 88. His conviction was, that he was better consulting the public interests and the Protestant interests of Ireland by assenting to this bill, than if he were to refuse concession to any attempt to settle this question. He doubted whether the establishment of municipal corporations would add much to the political influence of the Catholics. The right hon. baronet then instanced eleven towns which at that time had corporations, and of those eleven towns there was only one that then returned a con-

servative member, namely the town of Belfast. He could take all the boroughs which at present return members to Parliament. There were altogether thirty-three borough towns, having corporations which returned members to that town. Now out of these thirty-three towns there were only nine which returned conservative members. He thought, however, that the result arose, not so much from the existence of those corporations as from the extent to which in many of those places the political franchise was in the hands of the Roman Catholics.

Sir Robert Peel then said, "We might by refusing to read this bill a second time give encouragement to agitation, but I think we ought to consent to the second reading of the bill, as we have failed to persuade the people of Ireland that it would be for their interest, for a time at least, that they should be free from those municipal election contests which would go far with social harmony, and interfere with good fellowship amongst the inhabitants of many towns in Ireland. I shall, therefore, vote for the second reading of this bill, and shall enter into the committee with the same feeling with which I give my vote to-night; and with a disposition to use my best exertions to bring this long agitated question to an amicable, a satisfactory, and a final settlement."

Lord John Russell briefly supported the bill, and the house divided on the original question, when the Ayes were 149; Noes 14. Thus the second reading was carried by a majority of 135. Afterwards on the 24th of February the house went into committee on the bill, when several amendments were proposed by Mr. Shaw, Mr. Serjeant Jackson and others, but they were all negatived.

On the 9th of March viscount Morpeth moved the third reading of the Irish municipal corporation bill, when sir George Sinclair opposed it in a forcible speech, on the ground of a fixed determination on his part, not to strengthen by any act of his the hands of the Roman Catholic faction in Ireland, who, he said, he was persuaded, were unanimous in their wish, and unchangeable in their design to overthrow the edifice of the Protestant established church, for the purpose of building up a Popish fabric on its ruins. In the course of his speech, the hon. baronet said, with reference to the act of Catholic emancipation, that for the sake of contributing as he fondly thought, to the welfare and happiness of Ireland, he forfeited the good-will of an anti-Catholic cabinet, and gave up all hopes of personal advantage by voting in favour of Mr. Grattan's motion in the spring of 1812. But he was compelled to acknowledge with deep humiliation and regret, that many of his predictions had been fulfilled, nor one of his expectations realised. Sir George Sinclair concluded by moving, that the bill be read a third time that day six months.

Mr. E. Tennent seconded the motion and said, that the grounds on which he had, from the very first, resisted the introduction of the measure, and on which he was still as strongly as ever opposed to it, were its practical working, its turmoil excitement and expense, all which were points so objectionable in a mercantile community; and its cumbrous inapplicability at the present day to the objects which it was designed to accomplish and

which could be far more satisfactorily accomplished by simple, cheaper, and more rational arrangements. The hon. Member contended, that the forms of municipal government, however they might have been useful and necessary during the middle ages, had in fact become obsolete and incongruous at the present day, when the functions of municipal government were confined exclusively to those arrangements which are essential to the health, the cleanliness and the comfort of the municipal communities. He thought also, that the power enjoyed in these corporations, available for no useful purpose, would not fail to be perverted to political mischief; and the augmenting of that which but too loudly called for diminution, the bitterness of religious and political asperity and contention in Ireland.

In the course of his speech, the hon. member was proceeding to read an extract which he had cut from a newspaper, when the speaker said, that it was not competent to any hon. member to read a newspaper in the house.

This gave rise to some discussion, when lord J. Russell said, that he must say, that he had seen the reading of such extracts allowed, though it certainly was contrary to the strict rules of the house. If an hon. member made an extract, whether printed or written, whether from a newspaper or from a book a part of his speech, be this strict rule what it might, the practice had of late been to leave such a matter to his own discretion. The extract accordingly was read.

Mr. Shaw said, that he should vote for the third reading, both on account of the kind of pledge or engagement which he conceived had been given by the leaders of the Conservative party; and even if he were free from this, he should say upon the intrinsic merits of the question itself, that he should regard it as more conducive to the public good, and the welfare of Ireland, that the question should be settled on the principles that had been agreed upon by both houses of parliament, than that it should remain any longer in its present unsettled and most unsatisfactory condition. He was free to admit, that he did not approve of the bill in its present shape; and if the question was, whether or not it should in that shape pass into a law, he should vote against it; but the practical question which would be decided that evening, was whether or not the bill should be sent to the house of lords for the purpose of being amended there, and then so amended passed in the present session.

The house divided on the original motion, when there appeared, ayes 182; Noes 34: majority in favour of the third reading 148.

On the 4th of May, viscount Melbourne moved the second reading of the Irish Municipal Corporations bill in the house of lords. The noble lord said, that the qualification in the present bill was, that which had been adopted on a former occasion; namely, a 10*l.* rating in those boroughs, which were in schedule A, and 8*l.* in the other boroughs. That rating was to continue for three years, and then the same qualification was to be established as in the English Municipal Corporations bill. He would state, that the general ground for passing this measure was, that they should not refuse to Ireland,

when it could with safety be granted, that which had been conferred upon and carried into effect in this country. He for one had never held such language, nor approved of it when used by others, as that all the evils which had pressed upon Ireland; the destitute condition of her population, and the crime and violence which unfortunately did at times prevail in that country, were to be attributed to her connexion with England, and the impolicy and misrule which had characterised her government.

As to exact equality between the laws and institutions of the two countries, he had always held, that it was necessary to consider a variety of circumstances, such as the differences of situation and various others. But at the same time he had always held, that it was of the highest importance, that the same degree of confidence should be understood if possible to be reposed in the Irish people; that with respect to rights, privileges, and immunities, it was of the last importance they should be placed upon the same footing with this country; that there should by no means be any difference between them unless there was a clear, distinct, and intelligible reason shown for such difference.

The duke of Wellington said, that he should recommend their lordships to vote for the second reading of the bill, and allow it to go into committee, in order that they might consider the details of the several provisions. With regard to the abolition of the old corporations, the noble marquess near him (the marquess of Westmeath) had moved for certain returns, in order that their lordships might see whether or not there was any evidence of misconduct on the part of those corporations. However, he (the duke of Wellington) should on general principles, and whatever might be the result of the examination of those papers, be averse to the continuance of corporations in Ireland acting upon that exclusive spirit in which it must be obvious to all, those corporations had acted for the last fifty years. With regard to the qualification of the burgesses, who were to elect the municipal bodies, it was thought desirable both in that and the other house, to fix one which should be independent of the qualification by oath. He was afraid, that it had been found, that the qualification by oath could not be depended upon in that part of the empire; and therefore, though he had given his assent to the adoption of the principle of forming new corporations, he never agreed to the details of any measure, until he perceived by the establishment of a poor-law in Ireland, the existence of some system, according to which the qualification of claimants to vote in municipal elections might be clearly made out. The noble duke then complained, that the Irish Poor-law bill had not been fairly carried into execution, that the boards of guardians had not been fairly elected; and the poor-law commissioners had not performed their duty on that point, nor had the government obliged them to perform it. He hoped their lordships would read this bill a second time; but it was impossible they should pass it through committee without hearing with accuracy how this whole affair stood with respect to the election of guardians, and the due execu-

tion of the law in Ireland; because, if that law were not strictly carried into effect, their lordships would be placed precisely in the same situation as when the bill was introduced four years ago, that is without any measure of qualification for burgesses, or any mode of ascertaining the qualification but that which he earnestly recommended no man to trust to, the oath of the party himself. There was another point on which he must trouble their lordships with a very few words; he meant the clause which gave her majesty the power of granting new charters of incorporation at the prayer of a majority of the rate-payers. That was a majority, however, not of the payers of rates, entitled to be burgesses, nor of persons of property who were to be taxed, and who must bear the expense of these corporations, but the majority of ratepayers, every person being a rate-payer, who was liable to be rated under the poor-law. Really this was making a joke of the security of property altogether in these corporations. But they were told this was a very popular measure in Ireland. He begged to lay before their lordships the list of petitions which had been presented for and against the bill. The noble duke then said, that there was a remarkable omission in the present bill, relative to an audit of the accounts of the receipt and expenditure of these corporations. He believed, that a clause providing for this had been agreed to in the bill of 1838. Now, he wanted to know whether it was necessary for the sake of popularity, that there should be no provision in the present measure for auditing the accounts. Nothing was so essential to the fair operation of the bill as a strict audit of the accounts; and yet the clause was not adopted merely because it did not suit the views of a certain party in another place and in Ireland. He gave notice for one, that if the bill were not amended to his satisfaction, he should feel himself justified in saying "not-content" to the third reading.

The earl of Winchilsea said, that in his opinion this bill, although clothed under the specious garb of a measure to regulate municipal corporations in Ireland, would be found fraught with the greatest evils, not only to that country but to the best interests of this Protestant empire; and he therefore felt it to be his duty to move that the bill be read a second time that day six months.

The marquess of Westmeath seconded the amendment.

Viscount Melbourne said, that with reference to the general objections to this measure, it was not his intention after what had been said on the subject, to offer any observations; but he begged leave to put it to the noble earl (the earl of Winchilsea) opposite to consider, if he were to proceed on the principle of the test of opinion of the majority of inhabitants of that country, and did not conceive that they could be intrusted with the conducting of their own affairs in the corporations, how it was possible to continue the government of Ireland on the principles of freedom? The noble lord then made some remarks upon the speech of the duke of Wellington, and after the latter had briefly replied, the house divided, when there appeared contents present 85; contents, proxies 46; total contents 131: not contents present 14; not contents proxies 18; total

not contents 32: majority in favour of the second reading 99.

On the 14th of May, lord Kenyon moved the order of the day for counsel to be heard on the Municipal Corporations (Ireland) bill.

The marquess of Lansdowne said, that he had no objection to the motion, provided it were distinctly understood, that, as in the case of the English Municipal Corporations reform bill, counsel were not to be heard against the principle of the bill, but only against the details of the measure as affecting the interests of the parties for whom they appeared.

This was agreed to, and counsel being called in, addressed their lordships at considerable length against the details of the bill.

On the 19th of June, on the order of the day being read for the house to go into committee on the Municipal Corporations (Ireland) bill,

The bishop of Exeter rose and said, that feeling as he did on the subject of this bill, he could not permit himself to consent that it should go through any further stage. He considered the bill as one pregnant with the most serious mischiefs to the church, to which it was his happiness and pride to belong. He begged leave to remind their lordships, that the bill would increase, greatly increase the power of a very large body of persons in Ireland—of persons who were not only not members of the church of England, but who were acknowledged to be fiercely opposed to that church. He begged to remind their lordships how this bill would act by reference to what had occurred in the corporation of Tuam. That corporation was thrown open, and what was the consequence? Why that it was completely in the power of the Roman catholics, and amongst other proceedings, they had appropriated all the funds of the corporation to the support of the Roman Catholic cathedral in that city. But it was said, that amendments would be introduced of such a nature as to secure a just property qualification by which the apprehended evils would be in a great degree avoided. But if any one fact was more clearly and decidedly proved than another, it was, that a property qualification in Ireland was a mere delusion, and could never be taken as a fair representation of the property and intelligence of the country. The hon. and learned member for Dublin said two or three years ago in another place that he wished to transform the corporations into normal schools of popular agitation. Therefore, if this bill were passed, they were likely hereafter in every town consisting of 3,000 inhabitants, to have a normal school of agitation, creating confusion and disorder throughout the country. Corporations in England and Scotland had grown up and been established for the protection of commerce—for the security of property. They were cherished by wise governments to prevent the arbitrary invasion of rights by feudal lords, and to guard against the encroachments of the crown. But they were from the first established in Ireland for very different purposes. They were, in fact, founded on the principle of exclusion. The new settlers in Ireland were in a hostile country, and the crown granted them those privileges to enable them to maintain themselves—against whom? against

"the Irish, and the king's other enemies." Exclusion was, in fact, the great principle of the Irish municipal corporations, and they answered the purposes for which they were created. The ancient corporate towns were fastnesses against "the Irishry" and "murage," that was, customs for the expense of maintaining the walls, was an ordinary privilege under the ancient charters. To prove this statement, the right rev. prelate read the heads of several charters. He contended, that the extinction of those corporations would be a conservative measure compared with merely preserving the name and wholly destroying the principles on which they had been founded. He could not over estimate the influence which this bill, if passed into a law, would enable the catholics to exercise in Ireland. The right rev. prelate afterwards read an extract from an address of the national association of Ireland to the people of Ireland, signed "Daniel O'Connell, chairman of the committee," which called the church establishment in Ireland, "a master grievance"; and declared, that "whilst it continued, there might be a parchment or a legal union, but there was no real union. To redress this grievance was the first and greatest object of the association." He compared this with the oath taken by Mr. O'Connell on entering into parliament, in which he "disclaimed, disavowed, and solemnly abjured any intentions to subvert the present church establishment as settled by law within this realm," and said, that he did not hesitate to state his belief that every individual who was cognizant of this gross violation of a sworn pledge taken by that person every one who did anything to increase the power of that individual, or showed him favour, was guilty of subornation of perjury. He certainly would not say "content" to the motion.

Their lordships afterwards went into committee, when lord Lyndhurst proposed several amendments which were ordered to be printed.

On the 29th of June, lord Lyndhurst explained the nature of the amendments which it was his intention to propose: First with regard to the right of freemen voting for members of parliament. All parties admitted the principle, that this bill should not in the slightest degree affect that right. It provided, however, that any who had obtained his freedom after the 31st of March, 1831, should have no right to transmit it by birth or marriage to another individual. That was a direct infraction of the parliamentary reform bill. But there was an exception to this regulation — every person who should have obtained his freedom after the 31st of March, 1831, by servitude, was allowed to transmit the right to other individuals. What was the reason of this modification? Their lordships would see at once the spirit in which this clause was drawn. Transmission by birth or marriage would give the freedom generally to protestants, but by servitude a lower class of freemen was introduced, the greater portion of whom would be catholics. There was a large class of freemen of different guilds of Dublin, who by birth, marriage, or servitude, had an inchoate right to be freemen of that corporation. All those classes of persons were absolutely excluded by this bill, and the ob-

ject of his amendment would be, to restore them to their rights. The noble and learned lord then called the attention of the house to what was called the boundary clause.

In counties of cities and towns there was besides the city or town a large rural district, forming a part of the county of the city or town. It was provided by the bill of last year, that those districts should, for the purpose of grand jury presentments, be annexed to the counties at large. That was done upon a principle of justice—their lordships assented to it, and upon that point both houses agreed. In the present bill the whole of that arrangement was reversed. If he attempted to amend the clause, he should be told that he was interfering with the privileges of the house of commons. [This would be on the ground that it was partly a money question, having reference to the mode of taxation to be adopted in these districts.]

He would therefore leave the clause as it at present stood, and then appeal to ministers to provide a remedy. If they would not do so, it would be for their lordships to say, whether with a grievance of such magnitude, perpetuated by this bill which they had no right to alter, they would pass this bill. The next point was that of qualification, which their lordships had always insisted should be laid at 10*l*. Much embarrassment had been created on former occasions by the question in what manner this value should be ascertained. The other house had adopted the criterion selected by their lordships for that purpose, as far as the boroughs in schedule A were concerned, but they proposed to reduce the qualification in the boroughs in schedule B to 8*l*. He was sure their lordships would not assent to this reduction. He intended to propose as an amendment, that in all boroughs included in schedule A, and also in all boroughs included in schedule B, the qualification should amount to 10*l*.; in other words, that the qualification should correspond to the qualification in the Scotch municipal reform bill. The next point was the appointment of sheriffs. By the present bill it was provided, that the lord-lieutenant should not have the absolute appointment of the sheriffs, but that the town council should nominate three persons, out of whom the lord-lieutenant should appoint one—that if he were of opinion that none of the three were fit persons to be appointed, the town council should nominate other three persons; and that in case he did not approve of any one of the three then nominated, then and then only he should have the absolute appointment of the sheriffs. Any person who knew how this clause would operate practically, must see that it rested the appointment of the sheriffs in the town council. He (lord Lyndhurst) intended to propose, that the appointment of sheriffs in these towns should be placed on the same footing as the appointment of sheriffs in the town council. There was an amendment, which in a former session had been proposed by a noble duke, and which he still conceived to be of vast importance—he meant the amendment by which the auditors of public accounts were vested with authority to investigate into the accounts of these corporations. When the noble duke moved the clauses which were necessary to carry this amend-

ment into effect, they were assented to by their lordships, and also when they went down to the other house by the house of commons. For some unknown or at least unexplained cause they were now omitted. He was sure their lordships would see the propriety of restoring these clauses to the bill. The noble and learned lord concluded by moving, that their lordships now resolve themselves into a committee on the bill.

The lord chancellor briefly animadverted upon the speech just delivered by lord Lyndhurst, and maintained, that the effect and object of one of the proposed amendments would be, not to retain the parliamentary franchise as settled by the reform act, but to alter it very materially, giving rights which never existed under it.

Afterwards, when the house was in committee, lord Lyndhurst moved and carried an amendment preserving the inchoate rights of freemen under this bill, which were threatened as he had explained in his speech. Several other amendments were agreed to without a division, and some clauses were struck out.

On a subsequent day (July 6) the bill was re-committed in the house of lords, and on the proposition that schedule A be agreed to,

Lord Wynford rose and moved, that "the corporation of Dublin be omitted from the schedule."

This gave rise to a short debate, in which the marquess of Westmeath, the earl of Glengall, the bishop of Exeter, and the marquess of Londonderry supported the motion; and the marquess of Normanby, the earl of Wicklow, the duke of Wellington, and the marquess of Lansdowne opposed it. The motion was pressed to a division, and lost by a majority of 47.

On the 31st of July, viscount Duncannon in the house of lords, moved that the bill be read a third time; when

Lord Lyndhurst rose and said, that he had two or three amendments to propose; the first of which was that which related to the recorder of Dublin. He (lord Lyndhurst) proposed to strike out of the 161st clause (which had reference to the holding of the recorder's court) these words, "or as the lord-lieutenant shall from time to time think fit to direct." If the object of those words was to exclude the present recorder of Dublin from parliament, that object should be carried into effect by a direct clause, and not by a side wind, which it was the object of the present bill to accomplish. It had been said, "why should not the recorder of Dublin be placed on the same footing as other recorders?" Why, for this plain reason, because the office which he held was different in its nature from that filled by other recorders in Ireland. Their lordships would find that the recorder of Dublin held about twenty-eight sittings in the course of a year. And in what manner did he conduct himself? He never quitted his court when one prisoner remained to be tried, or when one cause was undisposed of, unless a special application had been made for postponement. The profession were satisfied with his conduct, and so were the judges, with one exception, and that exception was Mr. Justice Perrin. It was far from his intention to speak with disrespect of Mr. Justice Perrin, but at the same time he knew him as a violent political partisan, and one

who had throughout opposed himself to the recorder and the corporation of Dublin. Mr. Justice Perrin formerly sat for the city of Dublin, and he was convicted of bribery and disabled from sitting again for that city. He confessed, therefore, that he was not much disposed to lay any great stress on the authority of his (Mr. Justice Perrin's) opinion. The noble and learned lord concluded by moving, that the words which he had read be omitted from the clause. This proposition was opposed by ministers, and in the course of the discussion which followed,

The duke of Wellington said, "Come forward fairly with a clause in the bill and say, that the right hon. Frederic Shaw shall not sit in parliament; do that, if you please, and see what parliament will say to that proposition. I, for one, will vote against that proposition. If I did not vote against it, I should accede to an unjust party proposition made for the purpose of gratifying those who have a disinclination, for I will not use any more forcible terms, to Mr. Shaw. It is a proposition made to gratify a particular party in Ireland, and directed against a gentleman by whom it is undeserved in every way; because I declare my firm belief is, that there is no public officer in the service of the state who has performed his duties in a more zealous, a more meritorious, a more able, and a more satisfactory manner, than that right hon. gentleman.

The amendment was carried in a division by a majority of 16.

On the question that the bill do now pass,

The bishop of Exeter said, that it was not his intention to divide the house on this question, but he could not suffer this motion to pass without expressing his deep regret; and he must even add his great astonishment, that such a vote should be carried in their lordships' house. In passing this bill, their lordships' were not as in 1829 passing a bill which they believed would pacify Ireland, and give stability to the protestant church in that country; on the contrary, they were passing a bill which they saw must be destructive of that church; they were passing it, knowingly and deliberately against warning, against experience, and he firmly believed against their own conviction. "It will not, and it cannot come to good."

The bill passed, and the bishop of Exeter entered a long protest in the journals against it, in which the last reason assigned by the right reverend prelate was as follows: "because by this wilful and deliberate abandonment of the cause of true religion, and of the security of the church in Ireland to which the fundamental laws of the constitution, the act of union, the oath of our sovereign, and all the most sacred duties of subjects to their rulers, and of men to their Maker alike bind us, we have provoked the justice of Almighty God, and have given too much reason to apprehend the visitation of divine vengeance for this presumptuous act of national disobedience." The bill was afterwards, on the 3rd of August, brought down to the house of commons, and after a brief discussion, managers were appointed to conduct a conference with the Lords on the subject of their amendments and amendments thereto. Certain amendments were made, to which lord Lyndhurst refused to agree;

and on his motion, a committee was named to draw up reasons for not agreeing to the amendments of the commons, and a conference requested for the following day. At this conference their lordships delivered to the commons their reasons for not agreeing to the amendments made by the latter; and afterwards, in the house of commons, lord Morpeth moved, that the house should not insist on the amendments from which the lords had disagreed. This motion was agreed to, and on the 10th of August the bill received the royal assent.

Registration of Voters (Ireland) Bill.—As the bill introduced by lord Stanley in the course of this session for the purpose of amending the mode of registration in Ireland did not pass into a law, and another bill similar in principle was introduced by the noble lord in the following session of 1841, it is not necessary to go through in detail the debate which arose in the discussion of the former proposed measure, but merely to notice its principal provisions, and the chief arguments which were adduced on both sides of the house.

It will be seen that the ostensible ground on which lord Stanley's bill was rejected was, that it contained no definition of the franchise, a subject which certainly had no necessary or legitimate connection with the title or professed object of his bill, which was merely to provide a remedy for notorious and admitted abuses, and which was imperatively called for, whatever was the amount or nature of the franchise under which claims might be made, to vote.

On the 25th of February, lord Stanley rose to move for leave to bring in a bill "to amend the laws relating to the registration of voters in Ireland." He assured the house that his first great object was, if it were possible, that this question should be discussed in the house without any reference whatever to party feeling. After showing in what respects the English and Irish reform bill differed from each other, the noble lord proceeded to the question of registration. With regard to the registration in England, there had existed previous to the English reform bill no system of registration whatever; it was therefore quite free for the English legislature to take what course they pleased, unfettered by any precedent, and to make a great, and he believed he might say, a successful experiment, in introducing a wholly new system of registration. But in Ireland it was different; a law of registration as regarded freehold tenures had existed in Ireland for many years, resting on a statute dating so far back as the 35th of George 3rd, and on statutes subsequently passed. Under these circumstances it was thought better to watch the progress of these registrations, and not introduce in the country in which they had a registration a wholly new system, till they saw how that system worked in England. But at the same time it was announced by lord Grey's government that they would watch that great experiment, and if it was found to work advantageously for England, then that it was their wish to apply so much of it as was practicable to Ireland.

He (lord Stanley) would in the first place say, that the measure which he proposed to introduce to the house, he proposed to

confine to registration, and to registration only. He did not propose to deal in any manner with the elective franchise, he would leave other points to the consideration of the house on other future occasions.

After stating at some length the mode in which the registration is conducted in England, the noble lord said, that the registry of voters in Ireland was not annual, but it was quarterly. The session for the registration of voters was not held before a barrister appointed by a judge to go a circuit through the country, but before assistant barristers of the country, permanent officers, as a part of the quarter session duty in each quarter session town and no where else. The claims must be sent in, not as in England in a period of twelve weeks, but in twenty days previous to the period of registry, that period of registry occurring four times a year. The clerk of the peace was called on to make out a list, which he did, not circulating it in the parish where the claim appeared, but making the list out for a whole county or whole town, which list he was required to post in some conspicuous place in the county or town. Thus while in England a voter had twenty-five days from the 31st of July to the 25th of August, to examine the list of voters. and claimants in his own immediate neighbourhood, and to object or not to their right to vote; to the objector in Ireland a period was given of ten days to wade through the whole county list, and to examine if in that list there might be any one person in any part of the county against whom he wished to press an objection.

In Ireland with the single exception of 50*l.* freeholders, an elector seeking for the first time to qualify, was obliged to produce the lease by which he held, and the words of the act were, " by his oath or otherwise to prove the title by which he claims to vote." And what was the result if he got upon the register? If a person got on the register in England improperly, he might, upon objection, be struck off the following year. But in Ireland, if a person got upon the list, he proved his title by affidavit, which affidavit was registered by the clerk of the peace on the records of the county. The claimant then received a certificate from the clerk of the peace, which allowed him to tender his vote at every election for eight years without examinat on. These certificates if some of the decisions of the assistant barristers were correct, extended to double that period, for he (lord Stanley) understood that it was held in Ireland, that the production of a certificate granted in the year 1832 not by the party himself, but by some person whom he deputed to bring it into court was *primâ facie* evidence of his title to another certificate to vote until 1848. The certificates, therefore, were almost in the nature of exchequer bills; they were renewable and transferable, and there was nothing to prevent the person who renewed from handing over the old certificates to others for the purpose of using them to procure fictitious votes. By a multitude of those fraudulent votes returns might be made to that house, and whether the party in whose name the certificate was first taken out was alive or not, his name was still available as having been entered on the register. A single

individual having possession of the qualification, with but six months occupation, might, in the course of seven years and a half, procure from that single property no less than fifteen certificates. The present law held out a temptation for the commission of perjury without any dread of detection, or without a possibility of asserting who were or who were not, the *boná fide* electors, either in towns, cities, or countries.

The noble lord then went into a history of the numerous attempts at legislation to remedy this evil, all of which had proved abortive, and up to the present time, although all admitted the abuse, and all acknowledged that a remedy was necessary, the question was left exactly in the same state. The nature of his measure he would endeavour to state to the house as briefly as possible. In the first place he proposed to make the registration annual instead of quarterly. There was one point, however, which he wished to impress strongly upon the house; namely, that it was not his intention to deal in any way with the franchise. With respect to the revising barrister, it had on a former occasion been proposed that the appointment of that officer should be vested in the government of the day. To this he had objected, on the ground that such appointment might possibly be used for political purposes, especially previous to a contested election, when barristers thus appointed would have a power of nominating subordinates to act for them. Now the assistant barristers did this duty in Ireland, and he could not see any reason why they should not perform annually that same duty which they at present performed quarterly. He admitted that there ought to be an appeal from these decisions, and he thought the best mode of appeal was that which had been proposed in the bill brought in on a former occasion by Messrs. O'Loghlin and Perrin. It would not be right to subject such appeals, either to a subordinate or a co-ordinate authority; but rather to vest the power of deciding them in the judges of the land at the ensuing assizes, and to allow of an appeal both *pro* and *con*. His bill proposed to do away with the whole system of certificates—a system productive of fraud, perjury, and confusion. The bill further proposed to vest a power in the revising barrister of visiting with moderate costs those parties who came forward with frivolous claims or frivolous objections, and also contained a provision, giving to the judge of assize a discretionary and arbitrary power with respect to costs. After explaining his plan at further length, lord Stanley said, that he was prepared either then or at any future period, to listen to and discuss, with a view to making the measure more perfect, any suggestion or argument coming either from one side of the house or the other; and he could assure hon. gentlemen, that any argument or criticism which bore on the correction of the abuses which he sought to do away with, whether given in public or in private by those opposite or by those around him, should meet with respectful consideration.

Viscount Morpeth defended the dilatoriness of government, in providing a remedy for the evils of the registration system in Ireland, on the ground, that a plan for amending the registration in Eng-

land and Scotland, was at present under the consideration of government, and it was thought advisable to wait with a view if possible of bringing the three countries under one joint and united plan — and that the case as regarded Ireland could be far better considered and discussed after the valuation which would take place under the new poor-law. After some general observations as to the value which himself and his colleagues set upon the confidence of the Irish people, the noble lord said, he thought it most candid towards his noble friend opposite (lord Stanley) to say at once, without any reserve, that with whatever ingenuity the bill might be framed, however well calculated it might be to effect its own objects, and whatever collateral and incidental advantages it might possess, still if he were convinced in his own mind, that its tendency would be to narrow and obstruct the political rights of the people of Ireland, he would offer his decided opposition to the farther progress of the measure. He should, however, offer no obstacle to the noble lord bringing in his bill, and submitting it to the consideration of the House.

Mr. O'Connell made a speech against the proposed measure in his usual style — full of personal invective against lord Stanley — whom he designated as the last person in the world, who, from his principles and conduct towards Ireland, ought to have meddled in this matter. He said, he believed the noble Lord did not imagine, that there were many judges in Ireland in whose hands the people would be inclined to place the ultimate disposal of the franchise. On the whole, the present bill appeared to him to be one calculated not for the purpose of securing, as it pretended to do, a fair investigation of the claimant's right to vote, but of introducing such vexatious details as would be inconsistent with the situation of the tenantry in Ireland, as would be ruinous to them in point of time and expense, as would bring them twice every year under the lash of their landlords, as would expose them to the most merciless intimidation, and thus annihilate the elective franchise.

Lord Stanley, in his reply, stated that the Loyal Irish Registry Association of Dublin had shown exactly the same spirit, and announced the same hostility, as the hon. and learned member for Dublin, having agreed that instructions should be sent to all the liberal members for Ireland, to oppose the measure, whatever its provisions might be. He must say, that a more absurd resolution, or one which more clearly showed its supporters to be utterly unworthy of the confidence of any class of the community, never had been passed, and he trusted, that the liberal members of the House would show, that they had at least more liberality of feeling, than to be guided by such blind leaders, and would not take the instructions that might be given them by such non-reflecting politicians, but would fairly consider the merits of the question. The noble lord then showed at considerable length, in answer to the assertion of Mr. O'Connell to the contrary, that the franchise in Ireland, as settled by the Irish reform bill, was more extensive, and not less extensive, than the corresponding franchise given in England.

The motion was agreed to.

On the 25th of March, lord

Stanley moved the second reading of the bill upon which a long debate ensued, and it was moved by Mr. French, that the bill be read a second time that day six months. The principal speakers against the bill, were Mr. W. S. O'Brien, Mr. Bellew, Sir W. Somerville, Mr. J. Grattan, Mr. Pigot (solicitor-general for Ireland), Mr. Sheil, Lord Morpeth, and Mr. O'Connell. On the other side, it was supported by Mr. Shaw, Lord G. Somerset, Mr. Emerson Tennent, Mr. Sergeant Jackson, Sir W. Follett, Sir James Graham, and lord Stanley.

The chief arguments adduced by those who opposed it, were, that it would in its effect virtually disfranchise the great mass of the Irish people—that it would entail difficulty and expense upon the poor voters—and that it was not safe nor expedient to allow the ultimate decision as to the validity of a claim to rest with the judges of assize.

Lord Morpeth, in the course of his speech, said, that as his own dispassionate views as to what was the tendency of the bill, were, that it would have a tendency to obstruct and contract, not any fraudulent and fictitious right of voting, but the legitimate exercise of the elective franchise in Ireland, and as he found, that the impression generally conveyed to him from various quarters in Ireland, was unfavourable, he had no hesitation in at once declaring that he was prepared to give his most strenuous opposition to the farther progress of this bill. The main provisions of the bill he took to be annual revisions and the double appeal, both an appeal for, as well as against the franchise. If these provisions passed into a law, he would take upon himself to say, that this annual revision of the voters before the revising barrister and the annual appeal before the judge, being, in fact, no less than an half yearly registration, might be confidently expected to take place. He denied the assertion, that these provisions were contained in either of the bills introduced by the law officers of the Irish government, to which he had the honour to belong. Neither of those bills applied the annual revision to any but new or fresh matter. In the bills of 1835 and 1836, which were brought in by sir Michael O'Loghlin, the voters would not have been liable to be called again before the revising barrister (the circumstances remaining the same), till the expiration of the period for which they had been registered, that was, for the period of eight years. The bill of the noble lord introduced for the first time, universally throughout Ireland, the annual opening of the registry, and the revision of every case *de novo*. It threw an abundance of difficulty in the way of the acquisition of the franchise.

Lord Morpeth then went into a variety of details, which he thought objectionable in the proposed bill, with regard to the power to be given to the lord-lieutenant, of appointing additional places for holding the registry in Ireland, and the question of costs. He thought, that the claim of a voter to be put upon the registry, could not be accurately ascertained until the valuation under the poor-law bill, which was going on, should be completed. Considering, then, that the operation of the bill would be to limit the franchise — that it would throw increasing difficulties in the way

of increasing votes—that it would lead to much evil, that it would excite deep political discontent, and that it would foster political agitasion, he would give his most unhetitating opposition to the further progress of this bill.

Lord Stanley, in the course of a long and most able speech, expressed his satisfaction, that no single member who had got up at any time, repudiating, as they all did, the principle of the bill, all agreeing to reject the bill because of the principle, and all refusing to enter into any consideration of the details in committee, denied or palliated the monstrous abuses which he had demonstrated, when he had asked leave to bring in this bill, and on demonstrating which to the house, and in stating the remedies which he proposed, the house had felt that they could not refuse their assent to the introduction of the measure. With regard to the proposed system of registration, the noble lord had said, that he had waited until the system had been tried in England, and he had heard for the first time that night, that the existence of an annual revision in England, had been looked upon as vexatious and annoying. Although bill after bill had been brought into that house, altering constantly the details of the registration in England, in no one bill that had been brought forward, in no single speech that had been made, had a hint been dropped on any side of the house, that an annual revision was one part of the registration, that ought not to remain.

To show the systematic fraud which was carried on by means of the certificates in Ireland, lord Stanley said, it appeared that in Belfast no less than 174 persons were registered three successive times, that twenty were registered four times, that two were registered five times, and that one elector was registered no less than six times; so that for the whole 197 electors, 618 certificates were held, which by a judicious distribution might all be made use of at any election for the town of Belfast. He (lord Stanley) had thought, that he could not be mistaken when he founded his bill on the leading principles of an annual revision of the lists of voters, an appeal to the judges, or any court of appeal that might be determined on, against, as well as for the franchise, and a rejection of the jurisdiction of the house of commons, making the registry final and conclusive—because those were the principles adopted in every bill which obtained the concurrence of this house, and which had been proposed by the government—which had never been contested—and which in one case had passed that house, and been sent up to the house of lords. But the hon. and learned member for Dublin (Mr. O'Connell) said, "I was wrong in what I before did. I have changed my mind since, and if the government dare to do now that which they proposed, and I assented to, and supported, and eulogised, and declared to be essential to Ireland, in the years 1835 and 1836—because I have changed my mind, up goes the cry of 'repeal of the union' on the ground, that they have followed my advice and opinion." Therefore it was, that the noble Lord (lord Morpeth) had "new impressions" and thought, that the principles of the bill were such that the house of commons could not, for one moment, assent to them.

The hon. member for Limerick (W. S. O'Brien) said, that he would oppose this bill upon principle. Lord Stanley then went into minute details, and showed, that in almost every single point, his own bill exactly tallied with the provisions of the bill which had been brought in by that hon. member. The one single point of difference, was with regard to the constitution of the appeal court. And yet the hon. gentleman told him (lord Stanley), that he was prepared to oppose the bill on *principle*, on its second reading. One point he must refer to—the objection which had been raised to the appeal to the judges on the ground, that it took away the appeal to the jury. Lord Stanley then said, that the noble lord, the secretary for Ireland (lord Morpeth) had taken this objection, but when, on a former occasion, lord Clements, then member for Leitrim, had proposed to take away the appeal from the jury and transfer it to the judge, the noble lord opposite, the secretary for Ireland, then rose and said,

"I think it desirable that the decisions should be on as uniform a scale as possible, and I have therefore no objection to the adoption of the measure recommended by the noble lord."

The consequence was, that the amendment of lord Clements was afterwards agreed to without a division, and yet the noble lord, the secretary for Ireland, was now the person to come down to the house and charge him (Lord Stanley) with an attempt at a gross violation of the rights of the people of Ireland, by transferring the right of appeal from the jury to the judge. There was another point on which he (lord Stanley) felt it utterly impossible for him to be silent; he alluded to what had fallen from hon. members opposite, on the subject of incorporating in a measure for the regulation of registration, some alteration in the franchise. The noble lord then said, "I will here warn the house and the government against the adoption of one of the most dangerous principles ever introduced into legislation; that you are justified in refusing to adopt some specific measure, which all parties agree to be likely to be productive of positive benefit and advantage, unless there is tacked to it some other benefit, a provision of a totally different nature, and on which great differences of opinion may exist amongst all parties. I warn the government against another appropriation clause."

As far as he (lord Stanley) could collect from the noble lord's (lord Morpeth's) version of the speech delivered by him on the 26th of March, 1829, he objected to introducing as a test of the franchise what a solvent tenant could afford to give. For he had been told, that nothing was more common in Ireland than for parties under colour of that provision to bring a party before the assistant barristers, who would swear that he was ready to give the tenant 10*l.* per annum more for the property. Such a system led to constant and universal fraud and perjury. He was of opinion, that it would be much better for the barrister to judge not on the oath of any individual, but on an examination of the real value of the property, as to whether the claimant was in possession of property of the real value required to constitute his beneficial interest. In conclusion the noble lord

said, that he hoped this would not be treated as a party question. Having, however, done his duty in bringing the measure forward, he would not say without great anxiety as to its result upon the welfare and prosperity of Ireland; he left the matter in the hands of the house, confident that no ground had been made out for the rejection of this bill upon the second reading.

Mr. O'Connell, in a vehement speech, opposed the bill, and insisted that Ireland was not placed upon an equality with England in regard to the franchise, and that the proposed bill of lord Stanley would tend still further to fetter the Irish people in the exercise of their political rights. He admitted, that he had been in favour of annual revision, and an appeal both ways (*i. e.* both for and against a claim to vote); but why might not he change his opinions as well as the noble Lord? One of his objections was, that this bill would disfranchise all Ireland at once. Mr. O'Connell concluded his speech by a panegyric upon his countrymen, the Irish people. They, he said, were exhibiting another instance of their high excellence among the nations of the earth. They had of all others been the most faithful to what they believed the true creed, amidst war, plunder, desolation, and blood; and now they were rising in the might of a giant morality. They were now universally avoiding every species of intoxicating excitement. Prudence was marking their steps and their conduct; indiscreet marriages, formerly a blemish in their character, had altogether ceased. The moral lesson was becoming a practical one. Dispose of them as England might, insult them if she chose; in his humble opinion they were her equals in constitutional rights; he believed them to be her superiors in morality and political integrity.

The house then divided, when there appeared, Ayes 350; Noes 334.

So that the second reading was carried by a majority of 16.

However, notwithstanding this majority, when lord Stanley afterwards, on the 18th of May, moved that the speaker do now leave the chair, to enable the house to go into committee upon his bill, he was met by a most determined opposition. A very long debate ensued, which was adjourned more than once; but as the arguments used on both sides were almost exactly the same as had been exhausted on the debate that arose on the question of the second reading, it is not necessary to repeat them. Indeed, as lord Stanley said, in his speech, "it was at least unusual after a bill had been the subject of two nights debate in a very full house, after its principle notwithstanding the strenuous resistance of government, had been asserted by no inconsiderable majority; it was unusual, to say the least of it, again to renew the discussion of the principle of the same measure, and call upon the house to repudiate the decision to which they had come upon a former occasion."

Lord John Russell took part in the debate and began by declaring, that of all the motions which went to unsettle and oppose the principles of the reform act, this was the most formidable which he had ever encountered. The noble lord then explained, that by this he meant, that lord Stanley's bill

would throw difficulties in the way of the exercise of the political franchise, instead of giving facilities to and extending it, which was the principle of the English and Irish reform bills. He afterwards intimated the mode by which government hoped to get rid of this bill; namely, by proposing one of their own on the same subject, following as closely as possible the system adopted in England, after the system of registration, these had been revised by a bill to be brought in for that purpose. Lord John Russell insisted, that the bill ought to contain a clause defining the value of the property in respect of which the claim was made, and establishing a certain test of the validity of the franchise; for otherwise the judges would have the power of determining it, as they were the last court of appeal, according to the plan proposed by lord Stanley.

The noble lord spoke with more than ordinary bitterness against the supporters of the bill; imputing to them an anxious desire to take away the franchise from the people of Ireland. After eulogizing the Irish people, who he asserted were "as easily governed as any on the face of the globe," and disposed to place confidence in the present government, rather than hazard the dangers and perils of a repeal. Lord John Russell indulged in the following attack upon the conservative party, "but let this bill pass. Show that you are determined, step by step, to take away the franchise from the people of Ireland, to disable them from sending Roman Catholics as members of this house; obtain that supremacy if you can, which you have not had for many years; indulge in the triumph which the minority would then have over the majority; insult, vilify, and abuse the Roman Catholics; tell them that the people are ignorant, degraded, and priest-ridden; and speak of those priests in a tone of contumely and contempt; do all this and you will have done more for repeal than anything the hon. and learned gentleman (Mr. O'Connell) has been able to effect by his speeches upon this subject." He concluded in the following words, "I say that the noble lord (lord Stanley) has compounded with that which was wholesome food, so much poisonous matter of his own introduction, that I must reject the whole concoction, and that I shall most heartily and sincerely give my vote against his bill, being convinced not only that it is mischievous, but that the cause of good and pure registration will be best served by its rejection."

Lord Stanley began by alluding to the acrimonious nature of the opposition with which he had been encountered, and said, "Ever since the last stage of the bill, I have been personally the object of the most violent and unsparing abuse on the part of the learned member for Dublin in every address he has made to the people of Ireland." [Mr. O'Connell had in the interval used language of the most indecent violence against lord Stanley, calling him "Scorpion Stanley," and designating his bill as the "Scorpion bill."] Of that abuse I will say nothing more than that I am sure there is no gentleman in this house who expects I shall pay to it the slightest attention."

With respect to the opposition made by government to his bill, lord Stanley said, the solicitor-

general for Ireland might have shown by a printed bill how he meant to deal with the difficulties of the case. Nothing of the sort, however, had been done; but the noble lord, the secretary for the colonies, after abusing the present bill, stated at the close of his speech, that in a short time the house of commons might expect some general measure on the subject, "which," observed the noble lord (lord John Russell), "we intend to make as complete as we can. Hitherto, we have considered what might meet the assent of the other house; but we now shall be fettered by no want of consideration." That was to say the government would reject the present bill, though they knew it would effect the object in view, and they would bring forward at some future time a measure without any reference to the prospect of its passing, but which might serve as a convenient peg on which to hang up the whole question. He thanked the noble lord even for the little light he had thrown on the object he had in view. Lord Stanley then, at considerable length, defended the principle and provisions of his bill.

An attempt was made by Mr. Hume to obstruct the further progress of the bill by repeatedly moving the adjournment of the house—but the feeling was so general against such a course of proceeding, that the hon. member could not succeed in his object.

Sir Robert Peel exposed the inconsistency of opposing the going into committee upon a bill, the second reading of which, had just been carried by a fair majority. The right hon. baronet said one of the professed and hollow objections to the present bill of his noble Friend was, that he did not deal with the franchise. But this was a hollow objection. It was from the conviction that an honest and persevering attempt would be made to reform the abuses in the registration, that those recollections of national antipathy were conjured up, and that those hollow and frivolous objections were adduced against the bill of his noble Friend. If hon. Members opposite thought, that the franchise in Ireland ought to be extended, let them submit a measure for that purpose. The noble lord the secretary for the colonies, had set them the example of separating the question of the franchise from that of registration, and it was no argument to say, because the Irish franchise was too limited, that therefore there should be no improvements made in the mode of registration. In the present case, the abuses were clear and admitted. Nothing could be more dishonest than to impute to those who aimed at the reformation of an admitted abuse, the desire to curtail the franchise in Ireland, and to denounce the intentions of those who aimed at reformation, because such reformation would be injurious to the interests of the opposite party.

The house divided on the question of going into committee, when there appeared:—Ayes 301; Noes 298, Majority 3. Afterwards on the 11th of June, on the order of the day for the house to resolve itself into a committee on the Irish registration bill. Mr. C. Wood rose and moved as an amendment, that the order of the day for the second reading of the registration of voters (England) bill be read, before proceeding further with the registration bill for

Ireland. This amendment however, though supported by the government, was negatived by a majority of 11. The numbers being for the original motion 206, against it 195. In the discussion that arose upon this amendment, lord Stanley was again subjected to most intemperate attacks chiefly on the part of Irish members who charged the noble lord with being actuated by no motives but those of hostility to Ireland.

On the question that the first clause be read. Mr. Warburton moved that the chairman report progress, and ask leave to sit again —but on a division this motion was negatived by a majority of 93.

A scene of great confusion and uproar followed in consequence of Mr. O'Connell who was interrupted in the midst of violent invective against the bill saying, "This is a bill to trample on the rights of the people of Ireland. If you were ten times as beastly in your uproar and bellowing, I should still feel it my duty to interpose to prevent this injustice."

Sir Stratford Canning immediately called upon the chairman (Mr. Freshfield) and said, "I demand a retractation of the extremely offensive expression which the hon. member has just used. The term which I mean is that of 'beastly.'"

An angry discussion followed, which ended by the chairman and lord John Russell saying, that they thought enough had been said in explanation of the expressions used by Mr. O'Connell in consequence of the disorderly interruptions he had received from the other side of the house.

Sir B. Hall who had throughout opposed lord Stanley's bill, declared, that he would be no party to an attempt to offer a factious opposition to the measure—which statement drew down upon the hon. member an attack from Mr. O'Connell, who said, there might be a factious opposition and there might also be a factious acquiescence. The house afterwards resumed. When the house on the 19th of June resolved itself into a committee on the bill. Lord Morpeth moved, that in the first clause words should be added the effect of which would be to prevent any investigation of claims to vote which various circumstances during the past eight years might have vitiated. This was opposed by lord Stanley, but was carried in a division by a majority of 7:—the numbers being:—Ayes 296: Noes 289. The most determined opposition being made to the further progress of the bill by long and tedious discussions which consumed day after day—and by instructions being moved by Mr. O'Connell utterly at variance with the object which lord Stanley had in view, which was simply to purify the registration without embarrassing the bill by any question about the franchise. Lord Stanley at last on the 6th of July rose and moved, that the order for the committee on his bill should be discharged, and *sine die*. The noble lord gave a short history of the progress of his bill. The bill he said, was read a second time on the 25th of March, and from circumstances over which he had no control, the committee stood over until after the Easter recess. On the 18th of April, the discussion on going into committee commenced, and lasted three days. Ten divisions had taken place upon the bill, and on five of those divisions the whole power of the

government was directed to throw it out; of those ten divisions the government only succeeded in one —nine being in favour of the bill which to the present moment remained untouched. In the remaining nine divisions the bill stood the test and remained untouched. If the bill had encountered an opposition rather unusual, he must say, and he said it with feelings of gratitude, that it had been supported with a degree of cordiality and enthusiasm unprecedented in the history of any country. He knew no occasion on which 300 gentlemen without a single defaulter for three successive weeks recorded their support of a measure brought forward by an individual against the declared determination of opposition by any government whatsoever. But there was the consideration of time. In five days they had passed five clauses out of a bill which contained forty-six, and if the remaining clauses took a like time, it was absolutely impossible that the bill could pass in the present session. He could not anticipate either, that the opposition to the bill would be relaxed, or the enmity to it diminished. If he abstained from pressing this bill in the present session, he would distinctly state, that profiting by the experience of this session, and knowing the opposition he was likely to encounter, he should bring forward this measure at so early a period of next session, that he trusted the act would be brought into operation at no later a period than that which he had proposed for the measure in this session. He should therefore move the order of the day for going into committee on this bill for the purpose of its being discharged.

Lord John Russell said, that it was not the intention of the government to proceed that session with the rights of voting bill, nor with the treating and bribery bill.

Sir R. Peel: "I presume then that the English registration bill will also be postponed?"

Lord John Russell "Yes."

Sir R. Peel; And the same I suppose with regard to the Irish registration bill, [No. 2 proposed after the introduction of lord Stanley's bill by the solicitor-general for Ireland], so that we shall have got rid of these five bills at once.

Importation of Flour into Ireland.—On the 14th of February Mr. Labouchere moved the second reading of the importation of flour into Ireland bill. Mr. E. Tennent at considerable length opposed the bill, on the ground that it would be injurious to the milling interest in Ireland. He said, that down to a very recent period, Ireland was almost entirely destitute of a home manufacture of flour, but was totally dependent upon England—but in the year 1783, a law prohibiting the importation of foreign flour was for the first time introduced. This prohibition had since then been repeatedly recognised, and the consequence was, that although at the period of the union there was scarcely such a thing as a flour mill to be found in Ireland; it appeared by a return in 1835, that there was no less a number than 1882 corn and flour mills then registered in that country; and that Ireland which at the time of the union was an importing country, exported to England in 1835, 1,984,480 cwt., and subsequent returns shewed the present report to be upwards of 2,000,000 cwt. Various circumstances (which

were detailed by the hon. member), gave a decided preference to the importation of flour over that of wheat—and if it was asked, how it came, if it was so advantageous to import flour instead of importing wheat, that England imported every year so many quarters of foreign corn and hardly any quantity of foreign flour in comparison, the answer was, that England derived her supply of that article from the very source which it was attempted to destroy —from the mills of Ireland. The trade in flour in Ireland, was of equal if not greater value than the linen trade. The hon. member contended, that it was incorrect to say, that the millers alone were interested in this measure; the farmer and landowner were equally assailed by it. He saw in it not merely the immediate injury of the miller by the depreciation of his heavy stock in hand, but the permanent depreciation of his property embarked and invested in building and machinery. He moved, that the bill be read a second time that day six months.

Mr. Labouchere said, that he was prepared to rest his support of this bill on two principles: in the first place, that the alteration of the law could not have any practical effect whatever under ordinary circumstances, and that so far from doing harm to any interest in Ireland, it in reality would have no operation at all. The idea that Ireland was to be deluged with foreign corn was an absurdity. But if circumstances should arise, under which foreign flour would go there paying the same duty as it would pay in England, then it ought to be allowed to go. The quality of the corn of last harvest in Ireland was extremely inferior, and it was right that there should be obtained a supply of other than Irish flour; namely, flour of a finer description to mix with the Irish flour.

Lord John Russell in support of the bill said, that it rested for its support on the general principle, that there should be no restriction or prohibition without strong reasons. Mere restriction or prohibition for its own sake either imposed or kept up was wanton, useless, and mischievous in legislation, and it was nothing to him in its favour whether it was legislation of a year since or sixty.

The house divided, and the bill was carried by a majority of 52 The numbers being, Ayes 154; Noes 102.

Poor-law Guardians (Ireland).] In the house of lords, on the 13th of April, the marquess of Westmeath rose to move pursuant to notice for a select committee to enquire into certain elections of poor-law guardians in Ireland. The noble lord rested his motion on the grounds that Roman catholic priests had, in many cases, improperly interfered with these elections, and on one occasion, the returning officer (a Mr. Charles O'Connell) had harangued the people after mass, telling them to vote for the men whom the priests desired them to vote for. Three-fourths of these elections had been made objects of contest through the influence of the priests against the wishes of the landed proprietors.

The marquess of Normanby opposed the motion, and accused the noble marquess of coming forward with a case which was weak and frivolous. Several of the cases of the election of guardians were at that moment under the considera-

tion of the law courts in Ireland, and he trusted that their lordships would not be induced to interpose their authority, and interfere with the courts of law. With regard to Mr. O'Connell, the poor-law commissioners did censure him, and most properly, for having addressed the voters at the election of guardians. He earnestly implored their lordships to give this motion a direct negative.

The duke of Wellington complained that in the amendment act to the Irish poor-law bill which had been introduced by her majesty's ministers in the last session, advantage had been taken of his absence to insert a clause on the third reading which provided, that all persons who were liable to pay the poor-rates, should be entitled to vote for the poor-law guardians. He confessed, that he looked at this amendment with a good deal of suspicion, because it altered the complexion of the original measure. That was one ground on which he should vote for the committee proposed by the noble marquess. He should, however, suggest the convenience of postponing the debate in order that time might be given to enquire if there were any papers which might be produced.

The marquess of Westmeath, in consequence of the suggestion of the noble duke, said he would postpone his motion till further information was laid on the table. If he did not receive a more satisfactory answer than had been given that evening, he would proceed with this motion after the Easter recess.

On the next night the marquess of Westmeath moved for copies of any correspondence on the records of the poor-law commissioners, on the necessity of the provisions of act 2 and 3 Vict. c. 1, to amend the Irish poor-law of 1 and 2 Vict. c. 56, particularly respecting the 5th section.

The motion after a short discussion was agreed to.

Afterwards on the 3rd of July, the marquess of Westmeath moved for a select committee in the same terms as he had done previously on the 13th of April; but upon the recommendation of the duke of Wellington to withdraw his motion in consequence of the advanced period of the Session, he consented to do so. The noble duke in the course of his speech, said the intentions of parliament had not been carried into effect. The grossest abuse had certainly taken place at some of the elections of guardians—but then the poor-law commissioners had not done their duty in bringing the circumstances under their cognizance and recording them. In point of fact, therefore, their lordships could not take cognizance of them.

The motion of the noble marquess was then withdrawn.

Grant to Maynooth College.] On the 23rd of June, Mr. Plumptre brought forward a motion to the effect, that after the grant for the current year no further payment of public money be made to Maynooth college. His principal objection to this college of Maynooth was, that instead of its professors and members being the aiders and abettors of religion, good order, and submission to the laws of the land, they were ever found to be the leaders and promoters of disorder. Another objection was founded on the works that were introduced there, which were destructive of the best principles of morality. The grant in effect went to support a religion

that was at once idolatrous and unsocial.

Lord Morpeth in opposing the motion said, that the house had no more right to inquire into the nature of the books used at Maynooth than any Roman catholic member would have to come forward and object to the books which were used or to the education that was pursued at either of the universities of Oxford or Cambridge. No complaint had been made to the government of any neglect or abuse, or departure from the original intention of the institution. The only complaint that had reached the government was of the utter inadequacy of the funds allotted to the college. The hon. member (Mr. Plumptre) had brought forward the cases of the contests for poor-law guardians, and although he complained of the logic and casuistry of the doctrines at Maynooth, the hon. member himself exhibited rather loose logic and some casuistry, when he referred the proceedings at the election of poor-law guardians to the education at Maynooth, and the writings of Thomas Aquinas.

Sir Robert Inglis supported the motion and said, he conceived that the nation was not bound to hold itself to any christian obligations except such as called for the support of its church, and that church was at variance with the college of Maynooth.

Mr. Sheil made an eloquent speech against the motion, and in allusion to Mr. Plumptre said, "I will not follow him through the snares of his theology—I leave the member for Kent to rush in where angels fear to tread." While he preaches, I practise the precepts of christianity, and listen to his vituperation with the forbearance and the patience which ought to be produced by the spirit of christian commiseration. He is accounted by his associates as sincere. I own, that in listening to him, I am inclined to exclaim with Bassanio—

"Thou almost tempt'st me to forswear
my faith,
And hold opinion with Pythagoras."

Sir Robert Peel briefly opposed the motion and said, that he did not think that sufficient grounds had been made out for violating an implied understanding upon which parliament had acted for thirty years. The college of Maynooth had been established by a parliament exclusively protestant, as an instrument to induce a disposition favourable to the established church, and to discourage the Jacobin doctrines which a foreign education was calculated to engender in those who were educated for the Roman catholic priesthood of Ireland. He did not mean to say that there had been any contract entered into, nor that there existed such a contract as ought to prevent the interference of the legislature, if the grant should be perverted to evil purposes. A misappropriation of the grant would form a very proper subject of enquiry, and if it were proved the question might be submitted to the house, whether on that ground the vote ought not to be discontinued. But nothing but full proof of abuse would render it wise in the house of commons to enter into a pledge as to the future with respect to this grant.

The house afterwards divided, when the motion was negatived by a majority of 79: Ayes 42; Noes 121.

CHAPTER VII.

PUBLIC FINANCES.—*Mr. Herries' Motion—Financial state of the country—The Chancellor of the Exchequer—Mr. Goulburn—Reduction of the Postage Duties—Mr. Hume—Mr. Labouchere—The Budget—Mr. Hume's Amendment—Mr. Ewart's Motion for the Abolition of Capital Punishments—Sir Stephen Lushington—Mr. Hobhouse—Sir Robert Inglis—Mr. Kelly's Motion—Lord John Russell—Division—Capital Punishments—Mr. Sergeant Talfourd's Copy Right Bill—Mr. Warburton—Lord Mahon—Milton's Granddaughter—Mr. Charles Buller—Division.*

AT an early period of the session, the state of the public finances was brought before the house of commons by Mr. Herries, who has for many years enjoyed the reputation of being one of the most sound and able financial statesmen in the country. The discussion arose in consequence of his moving on the 13th of February for the production of the following papers, "Accounts of the income of the consolidated fund, including therewith the duties on sugar, and of the charges thereupon, in the year 1839; distinguished under the principal heads of receipt and expenditure; and also an estimate of the same for the year 1840; showing in each case the surplus applicable to the supplies voted by parliament. Account showing the amount of the deficiency of bills charged on the growing produce of the consolidated fund outstanding, unsatisfied on the 14th day of February, 1839, and the 14th day of February, 1840, respectively. Account of the total of the funded and unfunded debt extinguished, in each of the three years preceding the 5th of January, 1840, distinguishing the stock created in lieu of exchequer bills cancelled, being the produce of monies invested by savings' banks. Account of the total amount of the unfunded debt outstanding on the 5th day of January, the 5th day of April, 5th day of July, and the 10th day of October in each of the years, 1837, 1838, and 1839, stating the rate of interest on exchequer bills, issued at or about the same period, the current rates of premium or discount on the same in the public market, the prices of the three per cent consolidated annuities. Account of the total net income and expenditure of the United Kingdom in each of

the twelve years, between the 5th day of January, 1828, and the 5th day of January, 1840, in continuation of the account annexed to the fourth report of the committee on finance in 1828, wherein the same is exhibited from the year 1792. Of all the papers mentioned in his motion (said Mr. Herries) only one was contested, and indeed only a part of that one. He would merely at that moment notice the document which related to the unfunded debt, by which he thought he should be able to show to the house and country that there had been in that department of the public administration, a great degree of mismanagement. The paper to which an objection was to be made, was that relating to the income of the consolidated fund for 1840. The object of asking for that estimate was, to arrive at a knowledge of the pecuniary resources of the country for the present year.

Lord Althorp (continued Mr. Herries) had proposed to reduce a number of taxes, but still he retained a clear surplus revenue of 5,000,000*l.* a year. Whilst he was chancellor of the exchequer, a temporary deficiency of revenue had indeed occurred, occasioned by the hasty reduction of taxes; but that was made up in the following year, and was the only instance of a deficiency in the revenue antecedent to the time when the present ministry came into office.

The chancellor of the exchequer (Mr. Baring) said, the part of the motion to which he objected was, for a return "of the estimated income of the consolidated fund for the year 1840." The rest of the returns he was quite willing to give. There remained, therefore, no question as to any account whatever included in these returns, as there only existed on the part of the government an objection to that return which practically involved that section of the budget which comprised the income of the future year.

The information respecting the Post-office, would be laid before the house in the returns which he himself had moved for; and until those were produced, the calculations of the right hon. Gentleman (Mr. Herries) could have little weight.

With regard to the early introduction of the universal low rate of postage, he had felt it to be his duty as finance minister, to place the post-office question, at the earliest possible period, in such a position, that parliament might have some months experience before the financial statement of the year appeared.

The right hon. gentleman (Mr. Herries) had alluded to the course taken by government respecting the general debt of the country, and had made some observations concerning the course pursued by former administrations.

It was true, the right hon. gentleman had during his tenure of office, had it in his power to reduce the debt, and had availed himself of that power, and had effected much of the reduction by converting permanent debt into terminable annuities. In the administration which succeeded that of the right hon. gentleman (sir Robert Peel), the increase and diminution of the debt had been as follows:—on the 5th of January, 1831, the amount of funded capital was 757,486,997*l.*; on the 5th of January, 1839, the amount

was 761,347,690*l.*, showing an increase of the funded debt of 3,860,693*l.*; on the 5th of January, 1831, the amount of capital unfunded was 27,271,656*l.*; on the 5th of January, 1839, 24 655,300*l.*, showing a decrease of 2,616,350*l.*, and a total increase on capital debt of 1,244,343*l.* Thus, there had been an addition under the present government of not less than twenty millions to the public debt, and this effected not by any financial arrangements of the ministry; nor by any of the mismanagement of which so much had been said, but added for the purpose of freeing our fellow subjects from slavery.

In the last year before the Whigs came into office, he found (proceeded Mr. Baring) that the difference between the amount collected, and the amount paid into the exchequer was 4,875,000*l.* While in 1839, the last year of which the account could be got, the difference amounted to only 4,042,000*l*, showing a reduction of 833,000*l* in a sum under five millions. The state of the customs and excise was the best criterion, and it appeared, that in 1830, they amounted together to 36,184,000*l.*; and in 1839, to 35,919,000*l.*, showing little alteration, without taking into consideration the reduction made during that period. When he looked to the produce of the revenue, he found that it kept up in a remarkable manner; and when he remembered the reduction of taxation during that period, which was upwards of six millions, he could not but deem it as a conclusive proof that the resources of the country were uninjured.

Mr. Goulburn wished to understand from the chancellor of the exchequer whether he really meant to ground his opposition to the motion upon the absence of precedent? For if so, he would state one or two instances, which seemed to him to be in point.

The finances of the country now presented such an aspect, and things had now arrived at such a pass, that it became the imperative duty of a faithful house of commons to look the affairs of the nation in the face. In the public mind there existed an extreme solicitude with regard to financial affairs. An alarming deficiency was apprehended; and it became, therefore, the duty of the house to consider the means which were to be proposed for making due provision for that deficiency.

Mr. Herries said, he intended merely to call attention to the occurrences of the last three years; and he would confine his observations to the period from January to January. On looking back to the returns of the statement for 1837, he found that there was a deficiency on the produce of the revenue to meet the expenditure to the amount of 726,000*l.* In 1838, he discovered that there had been a further deficiency of the same kind, amounting to 440,000*l.*; thus making together the sum of 1,166,000*l.*, as the amount of the deficiency which existed at the close of 1838. In the year 1839, it appeared that there was a further deficiency of 1,512,000*l.*, making altogether 2,678,000*l.* at the end of 1839. Under these circumstances, was he not justified in pressing for an account of the state of the finances for the year 1840?

A great increase had been made in some of the most important establishments of the country. In

the navy estimates there was an additional charge of 500,000*l.*, which together with the deficiency of 1,500,000*l.* in 1839, would make that for the year 1840 amount to no less a sum than 4,678,000*l.* And if (continued Mr. Herries) the loss of revenue, in consequence of the change in the system of postage, which had been estimated by the authorities at the Post-office, at from 1,200,000*l.* to 1,400,000*l.*, were added to the deficiency of the preceding year, there would be found at the close of 1840 a deficiency amounting to nearly six millions.

From the year 1816, until 1828, when the finance committee sat, the revenue had been kept in such a state as to satisfy the anxiety of those who were anxious for a large surplus income; and had been found sufficient to effect a large reduction in the national debt. In the report of that committee, it was shown, that in the period of peace, between 1817 and 1828, there had been a reduction of 3,500,000*l.* on the charge of the debt, while at the same time 26,000,000*l.* of taxes had been taken off.

In 1803, an account was moved for, of the reduction in the amount of the consolidated fund, in consequence of the bill for consolidating the duties of customs. It was said, that the house had a right to call for a specific account of the computed addition to, or reduction of the consolidated fund from the alteration of taxation which had taken place, and it was acquiesced in by government, and agreed to without hesitation.

Again there was a precedent in 1823. Lord Ripon had made an alteration of a tax, and in the discussion on the subject, a question arose how far it would affect the consolidated fund, and a motion was made, "That there be laid before the house an estimate of the probable future increase of the consolidated fund, after allowing for the probable loss by reason of taxes reduced, and of the future annual charge for the same." This was a complete precedent for the course which his right hon. friend (Mr. Herries) had adopted in bringing forward his motion.

Mr. Hume considered, that the government had great difficulties to contend with. There was a deficiency of six millions in three years; and besides that, the house was bound to consider the events which had taken place in China. A further deficiency of at least half a million might be expected in consequence of the thousands in Ireland, who had pledged themselves to Father Matthew, to abstain from drinking whiskey. As for the alteration in the postage duties, he had never concealed from himself the loss of revenue which must of necessity be expected in consequence, and he gave the greatest possible credit to the government for carrying that measure into effect.

Mr. Labouchere supported the views of the Chancellor of the Exchequer, and sir G. Clerk followed on the same side as Mr. Herries, who briefly replied, and on the division which took place, the ministers were again left in a minority—the numbers being in favour of the motion 182; against it 172.

The ministerial budget which was put off from time to time was at last brought forward by the chancellor of the exchequer on the 15th of May in a speech of great

clearness and ability, in which he fairly exposed the real state of the finances, and the anticipated produce of the taxes he meant to impose. It appeared, that the total income for the year 1840 amounted to 47,685,000*l.*, and the total expenditure to 49,300,000*l.*—the deficit therefore of income over expenditure would be 1,457,000*l.* His noble friend (lord Monteagle) however, with a view of meeting this contemplated deficiency had taken a vote of 1,000,000*l.* of exchequer bills, and that sum being deducted would reduce the balance to 457,000*l.* Then came the estimated expenditure and revenue of the current financial year. The expenditure, Mr. Baring calculated, would not amount to less than 49,432,000*l.* In this amount were included, for the additional cost of the navy department, 100,000*l.*; for carrying out the recommendations of the military and naval commission, 75,000*l.*; for extra charge on account of Canada, 350,000*l.*; in part of the cost of the China expedition, 150,000*l.*

The ordinary expenditure for the year being . .	£48,757,000
And these extras amounting to	675,000
The total	£49,432,000

How was this to be provided for? Mr. Baring estimated the income at 46,700,000*l.*; for, notwithstanding the great deficiency in the Post-office, the increase on other branches of revenue had been so considerable, that he found the deficiency of the year ending 5th April 1840, as compared with that of 5th April 1839, was only 273*l.* This statement elicited loud cheers. Taking, then, the estimates of receipts of the different departments, which were almost invariably under the mark, he calculated, that from ordinary sources

The income would be	£46,700,000
The expenditure being put down, as before, at .	49,432,000
The deficiency would be	£2,732,000

To meet this, Mr. Baring would neither propose new loans nor new taxes; but he proposed to increase the assessed taxes 10 per cent.; the customs and excise, (with the exception of spirits, corn, and post-horse duty) 5 per cent.; to lay an additional duty of 4*d.* per gallon on all spirits, British, colonial, and foreign; and to take a vote of credit of 395,000*l.* He expected, that by a more strict collection of the assessed taxes he should also obtain 150,000*l.* Then his account would stand as follows.

Expenditure		£49,432,000
Income	£46,700,000	
Addition to assessed taxes	276,000	
New survey for ditto .	150,000	
Customs and Excise . .	1,426,000	
Spirits	485,000	
Vote of credit	395,000	
		49,432,000

As, however, the increase to be derived from raising the duties would not be available to the full extent this year, he might find it necessary to take a vote of credit for 850,000*l.* instead of 395,000*l.* Mr. Baring concluded by moving resolutions authorising him to make the proposed additions to the taxes.

The proposition laid before the house therefore, did not go to impose any new tax upon the public, but was framed on a practice which seems to have prevailed formerly of putting a per centage on existing duties. The budget was not much opposed by any party, and was certainly approved of highly by the supporters of the government, not only in the house of commons but in the country generally. Mr. Hume, although he had heard many financial statements, thought this the most clear and satisfactory he had ever heard, but at the same time he objected to the mode of meeting the deficiency, and proposed instead to tax the descent of real property from 1 to 10 per cent.

The proposal of the chancellor of the exchequer was also censured as unjust by several of the representatives of the agricultural interest. Mr. Goulburn with practical foresight, doubted, whether the increased duties on customs and spirits, would yield the additional income which Mr. Baring expected. Sir Robert Peel suggested, that perhaps the 10 per cent on assessed taxes might act as an inducement to people to reside abroad. He wished the postage duties had been raised from a penny to twopence. After an uninteresting discussion, Mr. Hume's amendment was lost by a large majority, and the resolutions of the chancellor of the exchequer were carried without a division.

On the 5th of March, Mr. Ewart brought forward his motion for the abolition of capital punishment. He quoted largely from criminal statistics, and endeavoured to prove from the returns which had been furnished to him, that in a given period since 1837, a larger number of convictions had taken place than in a corresponding period before the abolition of the punishment of death. The executions before the abolition were eighty-five, and after the abolition only twenty-five, being a diminution of sixty. Yet, after the abolition of capital punishments, the convictions increased in a stated period from 1,536 to 1,788. Thus, in consequence of the mitigation of the law, convictions had become more certain. In twenty-six years, ending with 1835, the executions for murder were fifteen yearly, and the proportion of persons convicted were twenty-five. In three years, ending with 1838, there were only seven executions yearly, a diminution of more than one half; but the convictions amounted to twenty-nine. In twenty-one years, before 1830, the executions were thirty-eight, and the proportion of convictions eighteen. In eight years, ending with 1838, the executions were seven, but the proportion of convictions were thirty-two.

Mr. Ewart proceeded to argue, that above all, capital punishment should not be retained in the case of murder. The man who committed that dreadful crime, did so either from calculation made beforehand, or from the impulse of the moment. If a man committed murder from calculation, it was clear, that the penalty of death

had not the power of restraining him, because he had calculated all results, and proceeded wilfully to commit the act; on the other hand, if he acted from impulse, he overlooked the consequences, so that in both cases capital punishment was ineffectual. It had been often said, continued Mr. Ewart, that before the punishment of death was abolished, some efficient substitute should be prepared —but that was a consideration which ought not to interfere with the great principle in question. Imprisonment and transportation to the penal settlements were substitutes, and were as effective punishments as any which existed in foreign countries.

Lord John Russell was unwilling to enter into a discussion against the arguments in favour of the abolition of the punishment of death, because, when capital punishments were more frequent, he had entertained the opinion, that the number of capital crimes constituted by our penal code ought to be diminished, and he could not but allow, that his own feelings had been very much in accordance with those persons who proposed to abolish the penalty of death. The hon. gentleman (Mr. Ewart) had argued, that the crime of murder being often one of calculation, its very existence showed that the laws were not effectual. But that argument might be used with reference to any species of crime. The real question was, whether a number of persons, besides those who actually committed the crime, were not deterred from committing it by the existence of the punishment of death.

Sir Stephen Lushington agreed with the noble Lord that nothing could be more detrimental to the due course of justice than that the house should agree to a resolution that capital punishments ought to be abolished without taking any steps towards legislating on the subject, leaving the Home-office to carry out the laws under the ban of an expressed opinion of the house. He advocated the abolition of the punishment of death, because he was decidedly of opinion, that a diminution of crime would ensue in consequence of the greater certainty of obtaining convictions. During the last twenty-five years, the criminal laws had been greatly mitigated, and the experiment had been attended with signal success. Since the punishment of death for forgery had ceased, that crime had become of the rarest occurrence. The reason was obvious—every offender was prosecuted, and every witness spoke the truth without hesitation, for he was no longer terrified with the idea of consigning a fellow creature to the gallows.

Sir Stephen Lushington concluded by moving as an amendment upon Mr. Ewart's motion, that leave should be given to bring in a bill which should have for its object the abolition of capital punishment.

Mr. Ewart had no objection to withdraw his motion, as the amendment would fully meet his views; his principal wish having been to bring on a discussion on this matter, and test the opinion of the house concerning it.

Mr. Goulburn said, it appeared to him, that by the adoption of the principle proposed, an inducement would be held out to the robber to commit murder, when the penalty attached to both crimes was precisely the same. The distinctions between crimes would be de-

stroyed, and one of the most natural feelings of mankind would be violated—one inculcated from the highest authority—that when blood had been shed blood should be shed in return. He was induced to coincide with the views of the noble lord (lord J. Russell) not from any desire to maintain a sanguinary code of laws, but from a firm conviction that by removing the punishment of death from the crime of murder, the greatest possible risk would be incurred, not only of encouraging the commission of that crime, but perhaps of creating its repetition under circumstances of a considerably aggravated nature.

Mr. Hobhouse said, in his opinion the question was, not whether murder merited the punishment of death, but whether the taking away of a man's life was the best and only means of preventing that horrid crime. That the crime of murder did merit the highest degree of punishment, he did not for a moment question, but he greatly questioned the effect produced by public executions upon the minds of all those who whether by accident or by choice, became the spectators of those bloody scenes.

Mr. Brotherton said, the Mosaic law had been quoted in support of this vindictive and retaliatory punishment, but the same law said, if an ox should gore a man or a woman, the owner of the ox should suffer death.

Sir R. Inglis was not one of those who were disposed to take away the life of one human being more than was necessary for the protection of others. The hon. member for Salford (Mr. Brotherton) had referred to the words of the sacred scriptures, and it must be owned, that whatever construction might be put upon those words, and though the Almighty did not personally inflict the punishment expressed by those words, yet it could not be denied, that in the code which he had prescribed, there was such an infliction of the punishment of death as must for ever exclude from censure any legislation which should make it the foundation for their laws. The house on a division refused leave to bring in the bill by a majority of 161 to 90. The tone of the discussion however was certainly calculated on the whole to encourage Mr. Ewart and those who agreed with him to persevere in their endeavours to mitigate still further the severity of our criminal code. Accordingly on the 23rd of June, Mr. Fitzroy Kelly moved for leave to bring in a bill to abolish the punishment of death, except in the cases of murder and high treason. He admitted at the same time, that the law at present existing provided no efficient or adequate secondary punishment for the prevention of crime; but it did not follow from that admission, that the punishment of death should be needlessly or wrongfully inflicted.

In his opinion, there was no insurmountable difficulty in establishing a good system of secondary punishment in this country preparatory to the transportation of offenders to foreign lands—a system by which the most hardened might be reformed, instead of being turned loose upon the world to mingle with their old associates in crime. His bill was calculated to cut down the number of offences for which the law now decreed the punishment of death from fourteen to four. A few years ago the number of capital offences

was 200, and although they had been reduced to fourteen no increase had taken place in that description of crimes which had ceased to be capital.

If it were conceded, that the object of legislation was not punishment of the guilty, but to deter others from the commission of crime, he thought he should be able to convince the house, that attempts at murder ought not to be punished with death. The dread of the law was supposed to operate upon the man who attempted to commit murder *ex vi termini*, and who expected to succeed. Would it not then have an equal if not a greater effect upon him who attempted to kill with less determination of purpose? As long as a man was punishable by death for murder, so long would there be security afforded by the law against attempted murders.

Again Mr. Kelly called the attention of the house to the effect of the change in the law which he proposed, upon men under the excitement or temptation to commit murder. In nine cases out of ten attempts to commit murder were found to arise out of attempts to rob, or burglaries, or where persons were seized with sudden passion, and gave blows, or fired shot, or inflicted wounds. The present state of the law took away all inducement from a man, who having struck the first blow, and not having despatched his victim relented, and would not repeat the blow but for the sake of preventing detection and saving his own life. The tendency of the law as it stood was to make such a man complete the murder, because no difference was made between the cases where the murder was completed and where it was incomplete.

What had been urged respecting murder applied with peculiar force to the crime of rape. A punishment short of death held out an inducement to ravishers, to spare the lives of their victims. The same argument also applied to the crimes of burglary, piracy, and arson.

Mr. Ewart seconded Mr. Kelly's motion, and lord John Russell complimented him on the ability and eloquence he had displayed, but he was compelled to state that he could not offer his assistanee to the furtherance of his proposal for the abolition of capital punishments to so great an extent, being of the same opinion as the attorney-general, that the time for such a measure had not arrived.

Leave was given, however, to bring in the bill, and no serious opposition was offered to Mr. Kelly in carrying it through the first and second readings, but on the third reading lord John Russell again opposed it on the ground that society was not in such a state that the punishment of death could safely be dispensed with in the cases for which it was proposed to substitute some secondary punishment.

Sir Robert Peel was also opposed to further legislation on the subject, as it was not at all clear to him that the severity of the law as it stood was greater than the sympathy of the public warranted, and it was essential in any change of this kind, that the house should act in unison with the public feeling.

On a division which took place, the measure was accordingly thrown out by a majority of 78 to 51. A result which we cannot but regard with mingled feelings, for while we admit that death does not seem an unfit or disproportionate punish-

ment for the crimes of burglary, rape, attempt to murder, arson and piracy, in aggravated cases, yet, nevertheless, when public opinion is divided so equally on the subject, the punishment remains on the statute book, but is really never inflicted under any circumstances. In the first place, there is a disposition on the part of the persons injured, not to prosecute offenders who are liable on conviction to be made so severely accountable, and there is also on the part of the witnesses a proneness to withhold their testimony, or at least to weaken its effect—on the part of the jury likewise a tendency not to convict and on the part of the judges an indisposition to inflict the punishment which the statute imposes. In short, there is a sort of conspiracy among all parties concerned to evade the complete execution of the law, by availing themselves of any merciful prevarication in favour of the accused, or any trifling pretexts that may seem to justify a more lenient course. There can be no doubt that such a state of things must have a tendency to render the administration of the laws uncertain, and, consequently, to diminish their efficacy, and deprive them of popular sympathy and respect.

Mr. Sergeant Talfourd rose on the 4th of February to move for leave to bring in a bill to amend the present law of copy-right, but did not think it necessary to occupy the house with any observations in favour of the measure, as it had already been three times before it and had been as often sanctioned by its approval.

Mr. Wakley contended, that the hon. and learned sergeant had failed to show, that the effect of the present law had been to prevent the production of standard or excellent works. What had been the practice when copyright had been really of less value than it was now? What had Roger Bacon or Shakspeare got for their works?

There were other incentives to authors besides the mere remuneration they received. The greatest works that had ever appeared in this country had been produced at a time when copyright had been of infinitely less value than it was now? What had Milton received for his "Paradise lost"? Milton might not have been so great a poet as others of modern date, but, without wishing to depreciate the talents or the labours of others, he would say, that if a law should be passed to diminish the present diffusion of publications, it would inflict the greatest possible evil on the cause of literature.

Mr. Sergeant Talfourd said, the question was, whether an author having committed to paper the thoughts he had conceived and cherished in solitude, should have any property in them, or whether they should become that of the public, whether an author communicating his inspirations to the world should only demand of the public the produce of their immediate sale, or look at large unto posterity for the reward of works which might not obtain immediate attention from the public? Those were the principles on which they had to legislate, and on which every scholar and thinker had equal power of forming his judgment.

Mr. Warburton disputed the proposition, that an invasion of copyright in perpetuity was an invasion of private property. Literary property was private property only so long as the manu-

script remained in the private possession of the author, but when it was published it became to a certain extent public property. It was no injustice to deprive the author of perpetual copyright in his works. The state gave to authors a certain protection for their works, and they were bound, on the other hand, to see that the public had the advantage of having the work published at a reasonable rate.

On a division there appeared a majority of 22 in support of sergeant Talfourd's motion for leave to bring in the bill, and on the 19th the second reading took place, when Mr. Warburton again opposed the measure, and moved, that the bill be read that day six months. He felt justified, he said, in applying to the present bill the same character which he applied to the bill brought in the last session and to the previous bill introduced by the hon. and learned gentleman (Mr. sergeant Talfourd) who consulted the interests of authors and publishers, but who threw out of his consideration the interests of the public.

In the arguments employed by the learned sergeant and by others, a comparison had been drawn between the protection given to patent rights and copyrights. It was said, that the inventors of a mechanical machine did not obtain equal protection as an author—that the patent was considered a stop to the success of the improvement of the thing invented.

As Mr. Talfourd acquiesced in the objection to the continuance of the patent in the case of mechanical inventions, he deserted the very principle of his own bill. His principle was—that the author was an inventor—that he had an indispensable right to his invention from the time of its being invented to a future time, and that to curtail his dominion over his invention would be contrary to justice and to right. If the literary man was an inventor, was not the mechanic an inventor also? Were not the inventions of Harrison, who made timekeepers what they were, and of Watt, the great parent of the steam-engine, equally the productions of their minds as the works of authors? If a qualification was necessary in the case of a mechanical invention, for the interest of the public, why not apply a similar qualification to an author's invention. The whigs of former times did not recognise the principle of such a bill as that before the house. In 1774, when in the famous case of Donaldson, the house of lords decided, that not any perpetual copyright at common law rested in booksellers and publishers, those bodies petitioned the house of commons to give them a perpetual copyright. A bill was in consequence introduced, and many members of high character took part in the debate. Mr. Fox on that occasion declared, "he would not permit so pernicious and flagrant a bill to pass through any stage without giving it his decided opposition."

The house, said Mr. Warburton, by passing the bill, would virtually encourage dear editions of books, and would inflict an irremediable injury upon authors and publishers. The whole literature of the country would be thrown into chancery, or into the courts of law, and actions would be every day occurring, and complaints made that copyrights had been infringed, authors would be claiming a right to works which

had long been out of their hands, and which had been repeatedly published since they had parted with them. Even, therefore, for the interests of authors, he thought the bill should not be allowed to become law.

Lord Mahon said, that for his part, he was not ashamed of the interest which he took in the measure. He found himself born to an inheritance of wealth, and he found with pain, that others, who were far superior to him in merit, industry and reputation, were far below him in the accidental gifts of fortune—he found men who were an honour to their country subject to wants and privations which such men ought never to have known. The object of the bill was to give those eminent men full scope for their talents, and to enable them to obtain, by their own exertions, that competency which he and others possessed, without any merit of their own.

There were many booksellers who sympathised deeply with authors upon this question; and as one instance, he would allege a petition from Mr. John Smith, a bookseller of Glasgow. The petition stated, "that your petitioner has for upwards of thirty years exercised the profession of publisher and bookseller in the city of Glasgow. That your petitioner has obtained estate and competence by the sale of books, published or sold by him, which property he has a right to entail or give in legacy for the benefit of his heirs, while the authors who produced the works which have enriched him have no interest for their heirs by the present law of copyright in the property which they have solely constituted. That your petitioner is decidedly of opinion, that the cultivation of the national literature would be cherished and strengthened by the proposed extension of the term of copyright."

Looking (proceeded lord Mahon) to past ages as a guide to the future, was it not evident that the literary genius of the country required some fostering aid? How many great works must have been lost to the nation through the *Res angusta domi*, which fettered the energies of those who otherwise would have transmitted greater and more enduring memorials of their genius to mankind? Dryden himself had left on record, in a letter to the earl of Dorset, that the necessity of writing for his daily bread prevented him from undertaking a great national poem on the exploits of king Arthur and his knights. Milton was another instance. Did not every Englishman feel prouder of the name from being the countryman of him who wrote Paradise lost? Yet how had the illustrious poet been rewarded by his admiring country? He would relate the account of Milton's grand-daughter, his last female descendant, as given by Dr. Johnson:—"She kept a petty grocer's or chandler's shop near Shoreditch. In 1750, Comus was played for her benefit. She had so little acquaintance with diversion or gaiety, that she did not know what was intended, when a benefit was offered her. The profits of the night were only 130*l*. She and her husband then augmented their little stock of grocery, with which they removed to Islington; and this was the greatest benefaction that Paradise Lost ever procured the author's descendants."

It had been argued (continued lord Mahon), that the love of fame

was a sufficient motive for authorship, and that the attainment of fame was a sufficient reward. But did that rule apply in other cases? Was Arkwright told when his genius invented a machine that should give bread and employment to tens of thousands, that his fame should suffice for his reward, or was he enabled to bequeath a princely fortune to his heirs? Was Marlborough told when returning from the victorious field of Blenheim, that he had no further claim upon his county? No, a palace arose, commemorating in its splendour and its name, a hero's merit, and a nation's gratitude. Was Canning told when his health was failing under the labours and anxieties of the public service, that his fame was all that his family should inherit? No, the crown bestowed a peerage on his widow, and the house of commons voted a pension to his son. Why then should literary men only be confined to the empty honours of celebrity?

Mr. C. Buller said, he should vote for the second reading of the bill, on the simple ground that, balanced as his own opinions were, and requiring information on the subject, he would rather the measure should undergo the fullest possible discussion. He held it to be wholly inconsistent with the enlightenment of the present age, that the labours of literary men should be those only which were not effectually protected by copyright.

Mr. Jervis and Mr. Hume opposed the bill as prejudicial in many respects to the interest of the public, and in his reply sergeant Talfourd strongly deprecated any introduction of party feeling into a measure which Mr. Hume and Mr. Wakley opposed, but for which Thomas Campbell, Leigh Hunt, Thomas Moore, and Harriet Martineau, had all petitioned. A division then took place, and the motion was carried in a very thin house by a majority of 30, there being in favour of it 59, and against it 29. At a subsequent period of the session, Mr. Sergeant Talfourd thinking, that from the position of the bill, he had little chance of getting it passed during the session, moved the order of the day for going into committe on it, for the purpose of having it discharged.

CHAPTER VIII.

Union of the Canadas—Lord John Russell's Motion—House of Assembly—Clergy Reserves Bill—Mr. Hume—Sir Robert Peel—Mr. Gladstone—Mr. Charles Buller—Canada Bill passed without much opposition in the House of Commons—Amendments of Sir R. Peel and Mr. Ellice are adopted by the Government—House of Lords—Duke of Wellington—Lord Ellenborough—Lord Brougham—Lord Hardwicke's Amendment—Sale of Canada Clergy Reserves—Ecclesiastical Duties and Revenues Bill supported by the Government and Sir R. Peel—Opposed in the House of Lords by several of the Bishops—Speeches of the Archbishop of Canterbury, Duke of Wellington, and Bishop of London—Regency Bill passed without opposition—End of the Session and Prorogation of Parliament.

HER majesty's speech at the commencement of the session recommended the attention of the parliament to two other subjects of considerable importance; the subject of an union between the Canadas and the report of the ecclesiastical commissioners with reference to the established church. The proposition of re-uniting the provinces of Upper and Lower Canadas our readers will recollect, had been strongly urged upon the government by lord Durham in the report which he made after his return from those provinces, the chief object being to provide for the constitutional government of Canada, so as to insure its permanent tranquility, and by removing all obstacles to the full developement of its resources, to lay the foundation for its future prosperity, and render it a source of strength and greatness, and not of pain and anxiety to the mother country. In moving for leave to bring in a bill for this purpose, on the 23rd of March, lord John Russell said, that he had allowed no time to elapse since the arrival of the propositions from the governor-general of Canada, who had taken the greatest pains to ascertain the sentiments of the people in that colony upon the measure he was about to introduce. And in the opinion of lord John Russell, an union would not have been expedient, had it been repugnant to the feelings of the Canadians themselves. But, said his lordship, the council of Lower Canada had been called together, and had passed resolutions agreeing to the principle of an union, but leaving

the details to the imperial parliament. In Upper Canada, the measure had been much discussed, both in the assembly and the legislative council; and after a full consideration of the whole question, a resolution in favour of the union was passed unfettered by any restrictions or conditions. Lord John Russell next adverted to the evils which he thought the contemplated union would be peculiarly calculated to remedy. It had been, he said, stated by Mr. Huskisson in 1828, that great evils arose from the nature of the feudal law in Lower Canada, from the extreme complexity and intricacy of the tenures of land, and from the state of the representation which gave such a preponderance to the French race, that the British were aggrieved and oppressed by the superiority.

The earl of Durham had clearly shown how very little the conduct of the assembly of Lower Canada ought to be confounded with the views of the advocates of constitutional freedom. That assembly, whilst they advanced the most specious arguments in favour of freedom, were, in fact, endeavouring to establish a gross monopoly in the hands of their own race, to the exclusion of the general body of the British inhabitants. For these evils there seemed no better remedy than to admit the inhabitants of both countries to send members to the legislature.

The noble lord thought there were urgent reasons why the declaration of an union should not be long delayed; and he was of opinion, that the proclamation should be made within six months after the passing of the bill.

With regard to the legislative council and assembly, it was proposed, that together with the governor, they should form the legislature, and that the crown, or the governor acting on the part of the crown, should appoint the legislative councillors. The report of the governor-general stated, that after consulting persons of all parties, they all agreed, that if there were not an elective council, the best plan would be to leave the nomination as had been directed by the constitution of 1791. It was further proposed, that the nomination of the council should be for life, the only disqualifications being bankruptcy or crime, that a power of resignation should be given; and that the number of councillors should not be less than twenty. The next question related to the future constitution of the house of assembly. A proposition had been made by the governor-general, which seemed to meet the assent of both provinces, that the number of representatives sent by Upper and by Lower Canada should be equal, with the power of adding members as the population increased. Thirty-nine members were to be allowed to each province, and distributed without any great alteration of the existing boundaries. It was intended, that in Upper Canada, the towns of Kingston, Hamilton, Brockville, London, Niagara and Cornwall, and in Lower Canada, those of Montreal, Quebec, and the Three Rivers, should each send one member. The rest of the members for each province were to be returned by districts which were to be called counties. In no case had counties been placed together which were separate before the act of 1829; but in nine instances counties had been combined which were divided by the act of

1829. The result was, that Upper and Lower Canada would each send thirty-nine members, making a total of seventy-eight. The province of Gaspe inhabited chiefly by a British race, and which expressed a strong desire to be included amongst the counties of the lower province was not to be separated from it.

Lord John Russell then entered upon the question relating to the laws and to the mode in which they were to be enacted. It was proposed, he said, to give a general power only to the assembly, and to reserve certain subjects for the assent of the crown, such as those pointed out by the constitutional act of 1791. But the royal assent was not to be given in those cases, if either house of parliament addressed the crown, praying for its refusal. Those subjects included amongst others, regulations concerning the Protestant religion, and the Roman Catholic Church.

With regard to the power of the assembly, an important question, deeply affecting the whole future constitution and government of the provinces; it was proposed, that money votes should not originate with the assembly, but that a message from the governor giving the assembly the power of addressing him, should precede any vote on such matters, this was a provision of the highest importance. Another of almost equal moment, was that which related to the civil list. A permanent appropriation was to be made for the governor and judges, and the civil secretary and all the various expenses connected with the civil establishments were to be voted either for a period of years, or during the life of the queen. These would amount to a considerable sum, which was estimated at about 75,000*l*. It was likewise projected, that the duties included in the act introduced by the earl of Ripon, and collected under the 14th George III., should become part of the crown revenue. By this means one great source of contention between the assembly and the crown would be removed.

It had been the custom (continued lord John Russell) with respect to making improvements, such as establishing local courts of justice, to propose a bill to the house of assembly, and to vote the money out of the public taxes; but instead of this, he intended that they should be brought into more regular and uniform operation under the municipal government of the provinces. In Upper Canada there was already the form of a municipal government; there were townships and elective offices; and they had likewise districts formed of two or more counties, which were attached to the local courts for the administration of justice; but their powers were extremely limited. He proposed, that the power of those municipal councils should be increased, and that they should be enabled to lay a tax of 3*d*. an acre upon all lands. The same authority in local matters was to be granted to the municipal courts in Lower Canada—that of forming districts and settling the boundaries of such districts. Those divisions would be useful for the purposes of improving the roads, and providing the means of internal communication.

With regard to the Clergy Reserves, a question which had occasioned the greatest excitement, and on which many votes had been passed in the Upper Canada as-

sembly (no fewer than fourteen between 1835 and 1838), with a view to secure the division of the land among christians of all denominations, lord J. Russell said a bill had at length been passed likely to give general satisfaction. The bill to which he alluded proposed that the Clergy Reserves should be sold, and that one-half of the proceeds should be given to the churches of England and Scotland; and that the remaining half should be divided among the clergy of all denominations of christians recognised by certain acts of the province, such as that of registration. There could be no doubt, a strong feeling existed on this subject in Canada, so much so that the partial insurrection which took place in 1837 had been ascribed by many persons far more to the excitement prevailing on this question than to any wish to throw off allegiance to the crown. There were various feelings on this subject, but they were all united against the application of the clergy reserves exclusively to the support of the church of England.

Mr. Hume said the noble lord was mistaken in supposing that this clergy reserves bill, obtained from a packed parliament, would settle discontent in Canada. The question ought to have been left for the united legislature. All the bloodshed and difficulty in Canada would have been spared if lord Glenelg had listened to those who could have laid the real state of the colony before him. But there was a principle at work at the colonial office which Mr. Hume declared it was impossible for him in any way to explain, and with respect to this union bill, he maintained that the united assembly would not submit to the treatment to which it proposed to subject them, but would contend for the management of their own affairs.

Sir Robert Inglis protested against Mr. Hume's proposition to allow the assembly to settle the clergy reserves bill which they had nothing whatever to do with. The land was not their property, but belonged to the church. He objected to the measure therefore as being founded on the greatest injustice.

Sir Robert Peel suggested that discussion should be postponed until the house had further information on the matters before it, he begged at the same time to ask lord J. Russell what was proposed with respect to the clergy reserves of Lower Canada, and the noble lord replied that they would be dealt with by the united legislature subject to the act of 1791, but he believed an act of the British parliament would be requisite to transfer to Canada that part of the clergy fund invested in England.

The Canada union bill having been read a first and second time without opposition, lord J. Russell moved on the 29th of May that the house should go into committee on the details. A petition against the measure from 39,000 inhabitants of Lower Canada having been presented by Mr. Goulburn, Mr. Pakington moved that the bill should be committed that day six months. The chief ground of objection to the measure urged by the hon. gentleman in the course of a long address, was the inconvenience of governing so extensive a territory by means of one executive. He also expected that the disaffected in the upper province would join the French party in Lower Canada.

Mr. Gladstone took a different view of the case, although he did not mean to say he thought the union proposed the best possible measure, or that considerable difficulties would not arise in the working of the measure. But it seemed altogether to be less open to objection than any other course, and he entirely coincided with the principles so clearly laid down in lord J. Russell's despatch. "Responsible government" in the sense in which it was understood in England in the imperial legislature was impracticable, a visionary notion in a dependent colony; but he greatly feared that when the united legislature met, this responsible government would be demanded on lord Durham's authority that it would prolong the British connection and insure British supremacy. Notwithstanding, however, some forebodings of trouble and difficulty on this account, Mr. Gladstone was fully prepared to support the measure.

Mr. Charles Buller congratulated the house on the evident determination of both sides to consider the question without reference to party interests. By "responsible government" lord Durham only meant the principle which must prevail in all countries having representative institutions, and whether it was expressed boldly and intelligibly like lord Durham, or vaguely and obscurely, like the hon. gentleman (Mr. Gladstone), the plain truth of the case was that the executive must be carried on by those persons who have the confidence of the majority of the representatives of the people of the colony, otherwise it would necessarily become a scene of interminable confusion and anarchy.

Mr. O'Connell protested against the measure on the ground of the inequality of the number of representatives assigned to each province in respect of their population, and because he was afraid the lower province must of necessity be saddled with the debts of the upper province.

The house then went into committee, and a division took place, negativing by a large majority an amendment of Mr. Hume, who objected to a qualification of 500*l.* as too high for members of the house of assembly, as in his opinion there should be no qualification whatever.

The various clauses of the bill were then all carried unanimously, and the schedules agreed to. On the third reading Mr. Ellice objected to that part of the measure relative to the formation of district councils with the power of local taxation, but he did not intend to vote against the bill, which was, however, still opposed by sir George Sinclair and sir Robert Inglis. When the house divided, there appeared in favor of the third reading 156, and only 6 against it.

Shortly afterwards lord John Russell, who had promised to take into consideration the objections urged by sir Robert Peel and Mr. Ellice, stated, that he agreed with the right hon. baronet that it was best on the whole to make the civil list a charge on the consolidated fund of the provinces before any debts which might be contracted in future. He had also decided to adopt Mr. Ellice's suggestion, and omit all the clauses relating to district councils, as he found great difficulty in assigning just and proper limits to the powers of those bodies. On the second reading of the bill in the house of lords on the 30th of June, a considerable

debate took place. Lord Melbourne told their lordships that the measure came to them recommended by high authority. It was approved by the special council of Lower Canada, by the legislative council and house of assembly of Upper Canada, by lord Durham, by Mr. Poulett Thomson, and by a large number of the inhabitants of the Canadas. Similar discontents with those prevailing in the provinces to which he alluded had led to the separation of the American colonies from England. He hoped, therefore, that the house would calmly and deliberately consider a measure framed expressly to promote the peace and harmony, and allay the discontents, and settle the state of public affairs throughout the Canadas.

The duke of Wellington was at issue with lord Melbourne as to the necessity of an *immediate* final settlement of the Canada question. He thought the fitting time for such a settlement had not yet arrived. They ought to get better information, and the people of Canada ought to be in a better temper. The noble duke had observed a growing desire in this country to get rid of those colonies, and to make them become republican; for his own part, he should consider the separation of those colonies from their mother country a great calamity. He did not think it necessary in order to govern the Canadas that they should both be under one executive and one legislature. If they gave Upper Canada a good and secure communication with the mouth of the St. Lawrence; if they secured to that province the enjoyment of the commerce of that river, the prosperity of the province and its union with this country would be secured, and having a hold on Upper Canada they need not fear for the separation of Lower Canada. The noble duke begged the house not to pass the measure under an impression that they had no choice in the matter: there were other alternatives which were at least safe, and might be carried into execution. His advice to their lordships was, to permit the bill to go into committee, and give its provisions their fullest consideration.

Lord Ellenborough concurred entirely with the observations of the duke of Wellington. He thought the passing of the measure would have a tendency to separate the colony from the mother country, but he should support the second reading, because no good would attend the rejection of the bill which would come to them again backed by the majorities in the house of commons, and nothing could tend more to lessen the hold of this country upon its dependencies than divisions in the imperial legislature on its affairs.

The Marquess of Lansdowne admitted that a great change of opinion had occurred in the Canadas on the subject of the union since the despatch of lord John Russell, but denied that it was in any respect to be ascribed to that cause. Lord Ripon thought the plan would create a rankling feeling of enmity towards this country among the French Canadians. Lord Brougham denied that the assent of any large portion of the inhabitants of Canada had been obtained. He attached little weight to the decision of the Upper Canada Assembly, because it had been continued beyond the time of its legal duration; and as for lower Canada, no one would look him in the face and say, that the vote of the assembly of that province

would be in favour of the bill. His lordship said, in the course of an eloquent speech, that setting little value on the connexion of those colonies with this country—holding that its disadvantages greatly outweighed its advantages, he thought, nevertheless, that everything depended upon the manner in which the severance took place, and upon the frame of mind and the public feeling on both sides the water at the time of such an event taking place. His apprehension was, that this measure would have the effect of much enhancing the bitterness of party spirit and of giving scope to the worst passions —that it would divide man against man, and race against race, and lead to perpetual heartburnings between the colonies and the mother country; and that when the dissolution should come, we should have in the colony not a friend or natural ally, but a positive enemy.

The bill was then read a second time, and the following week on the motion for going into committee, lord Hardwicke moved as an amendment, that the house should go into committee that day three months. The noble lord rested his opposition on the same arguments which had been advanced by the duke of Wellington on the previous debate. He also read a paper which had been drawn up at his request by sir Francis Head, containing a variety of reasons why the measure should not pass. The duke of Wellington concurred almost entirely with lord Hardwicke, but said, the responsibility must be with the government, and begged, on that account, that their lordships would go into committee on the bill, and content themselves with making such amendments as they thought proper.

Lord Melbourne admitted that it was not without apprehension he had introduced the measure, but he conscientiously believed it was necessary to the preservation of the colony. He was not disposed to pay much attention to the objections urged by that lively gentleman, sir Francis Head, who had drawn up a sort of brief for lord Hardwicke, and would, no doubt, have been equally glad to do so at the request of any one else. Delay was recommended, but in his opinion, anything like irresolution would have the worst possible effect.

The house divided on the amendment, which was lost by a majority of 107 to 10.

In committee, the duke of Wellington moved, that the commencement of the operation of the act should be postponed to fifteen months instead of six, after its passing, and lord Ellenborough moved a clause to empower the governor and two thirds of the council to suspend any member guilty of unworthy and disreputable conduct. Both amendments were agreed to.

The bill was afterwards read a third time, and on that occasion the duke of Wellington made some remarks on the retention in office of Mr. Baldwin, the solicitor-general, who had declared himself, when a candidate for the representation of Toronto, in favour of the principle of local responsible governments. Lord Melbourne stated in reply, that that gentleman had since been raised to the vacant office of the attorney-general who had resigned, and that Mr. Baldwin had then stated, that he wholly agreed with the opinions expressed in lord John Russell's despatch relative to responsible governments.

The bill introduced by lord John Russell for the sale of Canada clergy reserves also passed without any great opposition through both houses of parliament. With regard to the distribution of the proceeds of the sales, the archbishop of Canterbury and the bishop of London who were empowered by law to act for the colonial church in these matters, showed their willingness to facilitate the settlement of the question by the cession of a part of the rights to which, under the act of 1791, they considered themselves to be entitled. And the proposition of the primate to lord John Russell on this subject was thus stated by the noble lord. "That as regarded the one-fourth already sold, and the proceeds of which were vested in this country, the whole of that amount should be considered as belonging to the churches of England and Scotland in the proportion of two to one, and of the remaining three-fourths, one-half should be considered as belonging to the churches of England and Scotland in the proportion of two to one, and with regard to the other half of the three-fourths, the prelates at the head of the English church would be willing to listen to such a proposition as the government on consideration might suggest." Lord John Russell finally stated on a subsequent occasion, that the government proposed to leave this half of the three-fourths to the disposal of the governor-general of Canada and the executive council for the purposes of religious worship and education.

The other measure which we mentioned, as having been recommended to the consideration of parliament in her majesty's opening speech, was also of very considerable importance, and deeply affected the interests of the established church. An ecclesiastical commission had been appointed during sir Robert Peel's short administration in 1835, for the purpose of considering what changes could be made in the distribution of the revenues of the church of England, with benefit to the establishment and to the community at large. These commissioners having made their report, her majesty in her speech at the opening of the session had advised the parliament to prosecute the measures which the commissioners had recommended. The plan chiefly consisted in a modification of the constitution of chapters and cathedral colleges, and in the reduction of the expenses of cathedral establishments to a large amount—to nearly 300,000*l.* a year, and the application of that sum to the augmentation of the small livings and the supplying by means of additional churches and resident clergymen, the want of spiritual instruction which unhappily was felt to so great a degree in many parts of the kingdom.

As this measure was introduced in the house of commons by lord John Russell, and cordially supported by sir Robert Peel, it created but little discussion, and still less opposition in that house, indeed, with the exception of sir Robert Inglis and Mr. Estcourt, the members for the University of Oxford, and Mr. Gladstone and Mr. Acland, it was scarcely opposed at all. In the house of lords, however, it did not meet with anything like the same unanimous approbation. Counsel were heard at the bar of the house against it, who objected to the measure as one of confiscation, and as

being equally unjust and inexpedient—proceeding on false principles, and inconsistent with the principles on which it professed to proceed.

On the 27th of July, lord Melbourne moved the second reading of the bill in a very temperate and argumentative speech, and he was followed in debate by the bishop of Winchester, who said, that if the measure was recommended by high authority on the one hand, it was opposed by high authority on the other; in the first place, it wanted the support of a majority of the right reverend bench, it also wanted the authority of the two universities, it likewise wanted the countenance of the great body of the clergy, whose opinions on a question so immediately relating to themselves were entitled to some little weight. The measure was also opposed by the cathedral institutions, twenty-two of which had addressed the commissioners, and in the next place her majesty, and finally both houses of parliament against the bill.

The archbishop of Canterbury who had been one of the commissioners argued in favour of the measure at great length and with great learning and ability and with the mild spirit and christian temper, which distinguish that most rev. Prelate in so remarkable a degree. The chief ground he took was the melancholy state of spiritual destitution into which this thickly-populated country had fallen. The people having increased with the increasing greatness and prosperity of the country, and no corresponding increase having been made in the means of affording religious comfort and instruction. In four parishes in London which contained an aggregate of 166,000 souls, there was only churchroom for 8,208, and there only eleven clergymen. After quoting various other instances of a similar nature in different parts of the kingdom, the most rev. prelate stated, that upwards of 3,000,000 of our fellow christians in this country, were utterly cut off from the advantages of religious worship and pastoral superintendance. And against the necessities of these millions, were to be set the value of the benefices of less than 400 clergymen. He did not think the generality of the clergy adverse to the bill, which had not in fact ever been fairly brought before them. The commissioners had been assailed on every side—by argument, by ridicule, by misrepresentation, and by misstatement of facts, and by every artifice to which learning and ingenuity could resort to. They had however a duty to perform of a paramount nature, and they did not hesitate to sacrifice their own immediate feelings and interests, when the welfare and permanency of the establishment required the sacrifice to be made. And he felt sure that neither the government, nor themselves, would have any reason to repent of the measure they had introduced.

Lord Lyttelton and lord Devon opposed the measure. In their opinion the good of the church and of religion, required the preservation of the cathedral endowments, and that they had no precedent for the step they were thus called on to take, but were about to set a most dangerous precedent for the future.

The bishops of Gloucester and Salisbury, spoke also against the measure, and lord Harrowby in its favour, while the bishop of Rochester, declared that his oath as a

bishop, would not permit him to give it his support. Their lordships afterwards divided:—contents 99; non-contents 48 majority 51.

A further discussion took place on the motion that the house resolve itself into a committee on the bill, when the bishop of Exeter made a long and able address to their lordships, in which he found great fault both with its principle and its details. In the course of his speech, he alluded to a statement of the archbishop of Canterbury that he had conferred with the duke of Wellington, in reference to church reform, and in consequence the duke himself felt called upon to make one or two observations which were quite in his own characteristic manner. "It has been" said his grace, "my lot to live among idolaters—among men of all creeds, and of all religions; but I never yet knew of a single instance in which public means were not provided sufficient to teach the people the religion of their country. There are many false religions—I know of but one true religion—now since the means of teaching those false religions are never wanting, I do hope that we shall not have done with this subject, until we have found means for teaching the people of England their duty to their Maker, and their duty to one another founded on their duty to that Maker. And I feel infinite obligation to the most rev. prelate, because he has stated broadly to-night, that if justice be done to the resources of the church, we shall be fully able to maintain a church such as this country ought to maintain. And besides, that we shall be able to teach the word of God, to every individual living under the protection of her most sacred majesty—that is what I desire to see, and shall most cordially co-operate in effecting."

The debate was closed with an elaborate speech from the bishop of London, who took great pains to dispose of the different objections which had been made against the bill, and amongst others that cathedral institutions furnished rewards for theological and literary eminence, and quiet retreats for the enjoyment of learned leisure. He would fain be told how many of our canons residentiary were not at the same time parochial clergymen?—And how long was the residence kept by each in his cathedral? for that was the precise measure of the opportunities it afforded him of literary leisure. What was the actual working of the system? How far did it deserve the praise bestowed by Dr. Paley on the established church in Ireland, as providing stations "where wasted spirits, and declining health were suffered to repose in honourable leisure." Take an example—a learned and pious clergyman, is appointed to one of these stations after years spent in laborious duties. Does he repose under the shade of his laurels, cultivating theological or literary researches?—In a few months a chapter living falls of small emolument with a rural population. He takes it and enters on his parochial duties, and there goes a part of his literary leisure—very shortly a more valuable benefice, with a large population becomes vacant.—He is presented to it, and what becomes, or rather what ought to become of the remainder of is literary leisure. If this is one of the most important uses of cathedral establishments, then should

deans and canons be probibited from holding any benefices with the cure of souls.

The house then went into committee, and some amendments were proposed, but none which at all affected the leading principles of the bill.

In consequence of a message from the crown, a bill was also passed during this session of parliament, appointing his royal highness prince Albert regent in the possible event of her most gracious majesty's decease, during the minority of the infant princess. This is a contingency which all her majesty's subjects would be most reluctant to contemplate, and which certainly will not take place if the prayers of the nation are heard. But while trusting in the goodness of Providence, it was the duty of parliament to provide against an event which may possibly afflict the nation at any time, for a long series of years to come. The bill appointing his royal highness prince Albert, was introduced by the lord Chancellor on the 16th of July, and was passed with the unanimous approbation of both houses of parliament.

Her majesty prorogued the parliament in person, on the 11th of August, and read the following speech from the throne—

"The state of public business enables me to close this session of parliament; and in releasing you from your attendance, I have to thank you for the care and attention, with which you have discharged your important duties.

"I continue to receive from foreign powers assurances of their friendly disposition, and of their anxious desire for the maintenance of peace.

"I congratulate you upon the termination of the civil war in Spain. The objects for which the quadruple engagements of 1834, were contracted having now been accomplished, I am in communication with the queen of Spain, with a view to withdraw the naval force which, in pursuance of those engagements, I have hitherto stationed on the northern coast of Spain.

"I am happy to inform you, that the differences with the government of Naples, the grounds and causes of which have been laid before you, have been put into a train of adjustment by the friendly mediation of the king of the French.

"I rejoice also to acquaint you, that the government of Portugal has made arrangements for satisfying certain just claims of some of my subjects, and for the payment of a sum due to this country under the stipulations of the convention of 1827.

"I am engaged, in concert with the emperor of Austria, the king of Prussia, the emperor of Russia, and the sultan, in measures intended to effect the permanent pacification of the Levant, to maintain the integrity and independence of the Ottoman empire, and thereby to afford additional security for the peace of Europe.

"The violent injuries inflicted upon some of my subjects by the officers of the emperor of China, and the indignities offered to an agent of my crown, have compelled me to send to the coast of China, a naval and military force, for the purpose of demanding reparation and redress.

"I have gladly given my assent to the act for the regulation of municipal corporations in Ireland.

"I trust that the law which

you have framed for further carrying into effect the reports of the ecclesiastical commissioners, will have the beneficial effect of increasing the efficiency of the established church, and of better providing for the religious instruction of my people.

"I have observed with much satisfaction the result of your deliberations on the subject of Canada. It will be my duty to execute the measures which you have adopted, in such a manner as, without impairing the executive authority, may satisfy the best wishes of my subjects and provide for the permanent welfare and security of my north American provinces.

"The legislative bodies of Jamaica, have applied themselves to the preparation of laws rendered necessary or expedient by the altered state of society. Some of these laws require revision and amendment, but I have every reason to expect cordial assistance from the assembly of Jamaica, in the salutary work of improving the condition and elevating the character of the inhabitants of that colony. The conduct of the emancipated negroes throughout the West Indies, has been remarkable for tranquil obedience to the law, and a peaceable demeanour in all the relations of social life.

"I thank you for the supplies which you have granted for the service of the year.

"I lament that it should have been necessary to impose additional burthens upon my people, but I trust that the means which you have adopted for the purpose of meeting the exigencies of the public service, are calculated to press with as little severity as possible upon all classes of the community.

CHAPTER IX.

FRANCE—*Reason of Difficulties in forming permanent Administrations in France—Break up of the Coalition—Opening of the Session of* 1840—*Royal Speech—Election of M. Sauzet as President of the Chamber of Deputies—Election of M. Lefebvre as President of the First Bureau—Contest for the Fourth Vice Presidency between M. M. Martin (du Nord) and Vivien—Election of Former and importance of it—Address brought forward by Committee of Chamber of Peers—Debate on the Address in the Peers—Speeches of M. d'Alton Shée, M. Dufaure, Duke de Noailles and M. Villemain—Address in Chamber of Deputies—Debate thereon—Discussion on paragraph relating to the East—Speeches of President of the Council, Duke de Valmy, M. M. Mauguin, de Lamartine, Villemain, Thiers, and Minister of the Interior—Amendment moved and carried relative to Algiers—Remarks on the policy of France in the Eastern Question—Hostility towards England—Appointment of M. Guizot as Ambassador to Great Britain—Marriage of Duke de Nemours and question of Apanage or Dotation—Opposition thereto and Speech of M. Odillon Barrot—Brochure by M. de Cormenin—Rejection of the Dotation Bill by the Chamber of Deputies—Resignation of Ministers—Attempts of the King to form a New Ministry—M. Thiers constitutes a Cabinet—The new Ministry carry a grant of Secret Service-money by a large majority—Marriage of Duke de Nemours—Sugar Question—Proposal to send the Prince de Joinville for the ashes of Napoleon—Close of the Session.*

WE have in preceding volumes, recorded the rise and fall of the numerous ephemeral administrations in France, during the last few years, and endeavoured to give the reader a correct view of the parties, which have there been struggling for power. The energetic character of the king Louis Philippe, and his determination not to remain a mere cypher in the hands of his ministers, while he feels how infinitely greater is the stake of himself and his family in the interests of France than they can have, are and have been one great obstacle to the long continuance of any administration in office. On the one hand those who accepted nominal power found that the inclinations and individual will of the king must be allowed to modify and control their policy, and on the other, the fact of such an influence being known to exist, gave point and vigour to the at-

tacks of a powerful and not very scrupulous opposition. The chief of the various political parties in the French chambers, would naturally feel an interest in diminishing the personal influence of the monarch on the councils of his ministers, for they had their own views in public questions to which they were in a manner pledged, and they could not submit to have these thwarted by the crown, and at the same time, continue to hold the portfolios of office. The opponents of the revolution of July concentrating their hatred of that event, against the person and family of Louis Philippe were glad of any pretext for crippling his power, while the more extreme party who hailed that revolution as the death blow to anything like real monarchial power in France, saw in the personal interference of the sovereign only treason to the constitution.

We have seen how the coalition of the various discordant parties in the French chambers, headed by M. M. Thiers, Guizot, Odillon Barrot, and others, effected the overthrow of the ministry of the 15th of April (as it was called) of which count Molé was the premier,* and that after a long interval, during which the king remained without a responsible government, an interval known by the name of the "ministerial crisis," he at last on the 12th of May in the preceding year, formed a ministry of which marshal Soult was at the head, filling the offices of president of the council and minister of foreign affairs †. These dates are not unimportant, inasmuch as in the discussions which took place last year, and this in the French chambers, generally the only designation given to the different administrations is that of the day of the month when they were respectively formed.

On Wednesday the 7th of August, 1839, the session which had given existence to the Soult ministry of the 12th of May, was closed. And it was not until the 23rd of December, that the session of 1840 was opened by the king in person. By this time the acrimony of the contending political factions had in a great measure subsided, and whether they had become more moderate and accommodating in their views, or were weary and disgusted with the squabbles of the tribune, certain it is that a disposition was manifested to support the government which augured well for its stability. The fate of all political coalitions which seek to unite antagonist parties in a common object is the same. Thy have no natural principle of cohesion, and must fall asunder, if they do not break out into open rupture, so soon as the temporary object is attained. The very odium which public opinion attaches to such alliances is sufficient to destroy them. Marshal Soult therefore, and his colleagues might hope to escape such a violent attack as that which had proved fatal to their predecessors, and the event showed that at this juncture they had nothing to fear from the common hostility of the rival parties in the state.

The benches on the right of the throne were occupied by the peers, and the centre and left by the deputies, who attended the *Séance Royale* in great numbers. Animated groups were formed in eager

* See ante Vol. 81, pp. 369, 373

† For a list of the numbers of this Soult ministry, see ante vol. 81, p. 382.

discussion round count Molè, M. M. Guizot, Thiers, Dupin, Sauzet and Berryer. The king then pronounced the royal speech, which was in substance as follows. He congratulated the chambers on the internal peace enjoyed by France, and said that he had been touched in a lively manner by the testimonies of respect and affection, which had been received by his eldest son the duke of Orleans during a tour which he had recently made through a great part of France, and he rejoiced in the progress of industry and respect for the laws and institutions which were everywhere to be found.

His relations with foreign powers had preserved a pacific character, and the French flag in conjunction with that of Great Britain, "faithful to the spirit of that amicable union, which was always so advantageous to the two countries," had watched over the independence and safety of the Ottoman Empire, the existence of which was so essential to the maintenance of general peace, and he trusted that the great powers would soon settle on a just and equitable footing the entangled question of the East.

In Spain a great change had been effected, and although the civil war there was not entirely at an end, yet it had ceased to endanger the stability of the constitutional throne of Isabella 2nd. The greatest part of the Northern provinces was in a state of tranquillity, and sanguine hopes were entertained that in the east of Spain also peace would be speedily restored. This important result was attributed to the wise policy of the government of the queen regent and the bravery of the Spanish army, supported by the French and British governments in faithful execution of the treaties of 1834.

In America the Mexican government acted up to the spirit of the treaty which had been concluded by France with that republic, but the blockade of the ports of the Argentine republic still detained a French fleet.

In Africa, fresh hostilities called for vigorous and decisive measures. The French soldiers and colonists to whom his son (the duke of Orleans) had by his visit amongst them, carried a pledge of the royal solicitude for their welfare, had been treacherously attacked. The speech attributed this aggression to hostility to the progress made by French establishments in the provinces of Algiers and Constantine. But such aggression must be punished, and rendered impossible for the future, in order that nothing might impede the march of prosperity guaranteed by French dominion to a soil which, "it would never relinquish." Reinforcements had been already sent to Africa, and the war there would be carried on with vigour. The expenses attendant on this measure would be laid before the chambers, and the king confidently anticipated a favourable vote as was always the case, when the question was one which touched the honour of the French arms and the permanent interests of France.

The situation of the finances of the country were such as to enable them to bear this new change. With regard to the question of sugar, a project of an act would be presented to them, which would have for its object the attempt to reconcile private interests with those of the public.

Various subjects would occupy the attention of the chambers; such

as the regulation of civil pensions, the formation of lines of railroad, the government of prisons, and the introduction of a penitentiary system, &c.

These were the principal topics of the royal speech, which concluded in the following terms—"Nearly ten years have now elapsed since that great event which called me to the throne, and since for the first time you rendered me that support which I now demand of you again. It is in conjunction with you, and in the midst of you, that I love to congratulate France on her happy progress in that career of civilisation and legitimate freedom which some turbulent and discontented spirits still endeavour to disturb; but by the assistance of Heaven and your loyal support, their efforts will remain powerless, and these last traces of former disorders will disappear before the good sense of the public and the national will."

Loud cries of *Vivè le Roi*, followed the delivery of this speech from every part of the assembled crowd.

The next day the Chamber of Deputies proceeded to the election of a president, and the result of the ballot being that M. Sauzet had the requisite majority of votes over the aggregate given to the other candidates, he was declared president of the chamber. The number stood thus—

Number of voters . .	274
Minimum required for successful candidate . .	138
M. Sauzet obtained .	172 votes
M. Odillon Barrot .	94
M. Dupin . .	4
M. de Lamartine .	2
M. Dupont de l'Eure	1
M. Gauquier . .	1

This election was a great triumph to ministers. On the three preceding occasions when a contest for the president's chair had taken place there had been two ballots, and the successful candidates at last had only narrow majorities, whereas, now the whole efforts of the opposition could only obtain ninety-four votes for M. O. Barrot, which were seventy-eight less than those given to M. Sauzet, the ministerial candidate.

In choosing the presidents and secretaries of the different bureaus into which the chamber of deputies is divided for the dispatch of business, an incident occurred, which was of importance, as marking the state of the political atmosphere. In the first bureau, of which M. M. Lefebvre, Thiers, Dupin, Guizot, and Dufaure (minister of public works), were members, the result of the first ballot was, that out of 27 votes, M. Lefebvre had 13, M. Thiers 10, M. Dupin 2, and M. Guizot 2. As no one had the requisite majority, another ballot was taken, when M. Thiers obtained 13 votes, who would thus have been on an equality with M. Lefebrve, had not M. Dufaure, who was absent at the first ballot, arrived, and given his vote against M. Thiers, and thus secured the majority to his opponent.

This vote gave great offence to the opposition, who exclaimed against it, as though M. Dufaure had been guilty of the basest ingratitude, because he had formerly been a member of the cabinet of which M. Thiers was the head. But the answer was plain, if any was required. The situation of parties was no longer the same, and M. Dufaure was not bound to acknowledge M. Thiers as his political leader. The latter had been

the chief cause of the overthrow of the ministry of count Molé, and was known to be hostile to that of the 12th of May, which had succeeded it, and of which M. Dufaure was a member. It was not therefore likely that M. Dufaure would give a vote in favour of a political opponent so dangerous as M. Thiers. They had, indeed, been colleagues, but the rapidly shifting scenes in the drama of French politics had now separated their views and interests.

In the chamber of peers M. admiral baron Roussin was elected secretary to the chamber by a majority of 95 votes out of 106, and a committee was appointed to draw up the address consisting of seven peers, amongst whom were counts Molé and Portalis.

The chamber of deputies proceeded to complete its organization by electing four vice presidents and four secretaries, but on the first day of meeting only three had the requisite majorities of votes, viz. M. M. Calmon, Gauneron and General Jacqueminot, who had been vice presidents during the last session. The contest for the fourth lay between M. Martin (du Nord), and M. Vivien. The former had been a member of the preceding administration, that of the 15th of April, and the latter was supported by the present ministry, but M. Martin (du Nord) was ultimately successful, being elected by a majority of 10 over his opponent.

This, though apparently a defeat, was not so considered by ministers, for the very fact that the chamber should choose as one of its vice presidents a member of the late proscribed administration of count Molé (that of the 15th of April), was virtually a triumph, since it showed how strongly public feeling had set in against the coalition which had caused the overthrow of that administration, and the continuance of which in its former force would have been equally fatal to the existence of the present government. This event was rather taken as an omen that the rancour of hostility had subsided, and that the chamber was willing to recognise, in the government of marshal Soult and his colleagues, a line of policy not widely different from that professed by the defeated ministry of the 15th of April. The confusion and difficulties occasioned by the coalition of antagonist parties against the king's government had made it an object of the first importance with the present ministry to render it ineffective, and, if possible, detach from its ranks members sufficient to form a strong conservative majority in the chamber, so that the election of M. Martin (du Nord) might justly be looked upon by them as an auspicious event. We mention these things in order, if possible, to make the reader comprehend the position of political parties at this time in France, which the frequent changes of administration there lately have rendered it difficult to understand on this side of the Channel.

On the 6th of January count Portalis brought up the address which had been prepared by the committee of the chamber of peers, and which was merely an echo of the royal speech. The paragraph relating to the question of the East stated that there the happy effects of the amicable understanding between France and Great Britain had been seen in arresting the course of hostilities which might have compromised the safety of the Ottoman empire, and that a wise

policy dictates to them the necessity of preserving the integrity and independence of that empire. "We desire," said the address, "that the arrangements entered into by the great powers for maintaining nternal tranquillity there, shall, with a just appreciation of the interests of France, have those elements of durability, without which the object which Europe has in view cannot be attained."

The discussion on the address was immediately commenced by baron Dupin, and an animated debate ensued, in which M. M. D'Alton Shée, Dufaure, the duke de Noailles, M. Villemain, and the marquess de Deux Brêzé took part. M. D'Alton Shée attacked the ministry on the ground that their principles and policy were the same as those of their predecessors of the 15th of April, whom they had overthrown—the cabinet of the 12th of May followed the errors of that of the 15th of April, and the change which had caused so much noise was wholly useless. "You attacked," said the orator, "the ministry of the 15th of April, and you succeed them without repudiating their acts; your acts, on the contrary, are the same as theirs—you replace them in their offices without amending their policy." In the course of his speech M. D'Alton Shée applied to the present government the epithet of "the self-devoted ministry," (*le ministére dévouement*), on the ground that they had boasted of having rallied round their sovereign to protect him when he was unable to form a government, having applied in vain to the different leaders of parties in the state, and when an insurrection had broken out in the streets of Paris.

This brought up M. Dufaure (minister of public works), who, in an eloquent speech, defended the government, willingly accepting the epithet of "self-devoted," bestowed on it by M. D'Alton Shée, and showing that it deserved that term, on account of its conduct towards the king, in accepting office, and denying, that because it placed itself in the breach to defend the crown, it was therefore unparliamentary or unconstitutional.

The duke de Noailles made a long and able oration on the affairs of the East, a question which was daily growing in importance, on account of the danger its unsettled state caused to the continuance of the peace of Europe. He gave a history of the events which had taken place in Syria and Egypt, and traced the growing power of Mehemet Ali, asserting that England was his enemy solely from ambitious motives, and because she wished to make herself mistress of the Red Sea and road to India. France had to choose in this question between the policy of conquest and the policy of conservation. She was the most disinterested amongst the great powers in the settlement of it. Russia, England, and even Austria had their own separate interests to serve, but France had none—still, however, the dignity of France, and her place amongst nations, required of her that she should take a leading and honourable part in the question of the East. What objects, then, ought France to have in view? He thought there were two, the one immediate, and the other more remote. First, to prevent England from getting possession of Egypt, or even acquiring any dominion there at all, which would give her a preponderance in the Mediter-

ranean fatal to the interests of France, and to do everything to enable Egypt to become a strong and independent kingdom. Secondly, to endeavour to obtain for herself some direct and territorial advantages, but these were not to be looked for in the East, but on the Rhine, for distant possessions would be only burdensome to her. He afterwards contrasted the benefits of a Russian or English alliance to France, denouncing the latter, and recommending the former as most advantageous to the interests of France, since the encroachments of Russian power did not clash with her own views of territorial aggrandisement.

M. Villemain (minister of public instruction), rose to answer this speech, and ably defended the policy pursued by France during the last ten years with regard to the affairs of the East. He denied that France was isolated in that question, or that her dignity had in any way suffered in the course of events and negotiations. Her name had full weight given to it in the balance of European politics, and no questions of importance could be settled without reference to her wishes. He denounced the idea hinted at by the duke de Noailles that France should look for advantages in the dismemberment of the Ottoman empire. Such a dismemberment would be unjust and dangerous, and it was unwise and impolitic to evince eagerness to share in a partition, the very intention of which was not yet disclosed. He concluded, by enlarging on the benefits of an alliance between France and England, and said that that alliance was one of the foundations on which rested the security of Europe, and the liberty of the world.

The delivery of this speech was much applauded, and, in the end, the address was adopted with only one amendment, which was the insertion of a protest (which now had become an almost annual occurrence) against the violation of the treaties of 1815, in regard to the nationality of Poland. M. Villemain, who was the only minister present when it was proposed, voted for it.

On the 7th of January, the address proposed by the committee of the chamber of deputies was brought up and read. It was a long document going considerably into detail on the various questions touched on in the speech from the throne, but in complete accordance with the views there expressed. It contained a paragraph like that added by the chamber of peers, on behalf of injured Poland, and with regard to the question of the East, stated that the position of France was great and disinterested. The conclusion was in the following terms. "For ten years France has sought, amidst all the dangers of a revolution, two inestimable blessings, a national dynasty and a parliamentary government. Sire, this dynasty is yours—this government is that founded on the charter of 1830. May it strengthen and develop itself more and more. May the powers which compose it, independent and united, preserve their prerogatives, and keep within their limits. May they be free, strong, and moderate, and may the public happiness be the result. Our part shall not be wanting to the cause of constitutional monarchy. It may reckon on our faithful support. In vain do insensate spirits still attempt disturbance. Faction can have no hope in the future. France guarantees to you that it shall be

powerless. Reason and the national will watch over the throne which they have raised; your rights are indissolubly linked with ours, and the glory of your crown adds to the greatness of our country." In the general discussion which took place upon the reading of the address before going into its details and adopting the different paragraphs, the chief subject of debate was the question raised by the opposition, whether the present ministry (that of the 12th of May, as it was called) was founded on parliamentary principles or not, and whether it did or did not differ in its political views from the preceding one of the 15th of April. This party squabbling is not likely to interest the reader, particularly since political events which we shall soon have to detail, presented afterwards an entirely new aspect of parties in the two chambers. It will be sufficient to state, that M. Odillon Barrot vehemently attacked ministers, asserting that they formed an unparliamentary government, that they had accepted office to protect and cover the crown, which was a task they were too weak to accomplish, and that being without *prestige* or power, they would be unable to maintain a settled and definite line of policy. M. Villemain, in reply, made a vigorous and successful speech, asserting that the cabinet of which he was a member, would not exist upon sufferance, and needed not to beg for an amnesty from any portion of the chamber. It would bring forward its views, defend its measures, and recognise the law of the majority, remaining faithful to the principles expressed in those words of the address, "a national dynasty and a parliamentary government."

Afterwards, the three first paragraphs of the address were adopted without discussion, but a long debate arose on that which made mention of the eastern question.

The president of the council (marshal Soult) guarded himself against any explicit declaration on this delicate subject; and stated, that negotiations were still going on in London, that nothing definite had been determined, and that therefore, his government could not be expected to give satisfactory answers to questions that might be addressed relating to it. He, however, let fall some significant expressions in favour of Mehemet Ali, saying, that he and his colleagues did not consider the integrity and stability of the Ottoman Porte, incompatible with certain arrangements in favour of the family of the pacha of Egypt.

The duke de Valmy attacked the policy of ministers—accused them of sacrificing the interests of France — denounced the alliance with England, and said he should vote against this paragraph of the address. M. de Carnè, who followed, spoke strongly in favour of the cause of Mehemet Ali, and while declaring his opinion, that the Ottoman empire ought to be preserved inviolate within the new limits, which recent events had assigned to it, insisted that Egypt should not be sacrificed to Turkey, but that what he called the new rights there created, should be respected and preserved.

M. Mauguin made a rambling speech, chiefly directed against England, in which he denounced what he called her ambitious projects, and showed how every part of the world was visited by her flag, and swayed by her influence. At the same time, he made use of

the words, "England has passed the culminating point of her greatness, and begins to descend," and the orator imagined, that he proved this proposition, by showing, that her social state was disturbed, when her population could not find work, and that the means of supporting that population were daily diminishing, because, by her former policy, she had closed many of the markets of the world against the products of her labour. He concluded by saying, that the present cabinet had not the power to maintain the dignity of France—it was inefficient as that had been which had preceded it, and as that would be, which would follow it.

M. de Lamartine followed, in a long and brilliant speech, in which he advocated the policy of French aggrandizement, saying, that before the revolution of July, France might adhere to the principle of conservation, but that since then, the energy and enthusiasm of the national movement, pointed to the policy of acquisition. He denounced the idea of gratuitously establishing an Egyptian power, and a nationality calling itself Arabian, or of working out the objects of the ambitious though idle dream of an old man, who attempted to raise into the semblance of stability one of those oriental phantasmagorias of government, which appeared and vanished with the accidental genius of a single individual. France ought not to legitimize and make hereditary the dynasty of Mehemet Ali. To do so, would be to proclaim war for a century against England in the east, which would never consent to recognize the existence of a power which would hold the keys of the Arabian gulf, and impede her intercourse with India. He then plainly intimated, that in his opinion, the system of policy with regard to the east, ought to be to partition the lifeless and decaying empire of the sultan, amongst the European powers. That edifice was already crumbling to pieces, and every stone that fell from it, would cause a shock, and struggle, and disturbance in Europe. Happy would be the period when the brave and vigorous inhabitants of the east, were no longer crushed down beneath the weight of the carcass of Turkish empire, to the shame of civilization and of mankind; and when France, standing between Russia and England in the east, should place under the protection of the former, the population with whose interests she could sympathize, and open out to the latter a communication with India, to the benefit of the world, whilst, at the same time, she allowed Austria to rule dominant in the Adriatic—and found her own interest, and influence, and prosperity, in holding the balance of power newly created in the east. [*Murmurs of dissent.*]

M. Villemain replied to this harangue, and repudiated the idea of dismembering the Turkish empire. The object of France was neither to destroy old kingdoms, nor to create new ones. Her policy was to recognize a state of things which had been brought about by events over which she had no control, and which had reduced the question to one, not of dividing the Turkish empire between two unequal powers, but of the necessity of maintaining whatever yet remained of vitality in the Mussulman nations. The dismemberment proposed by M. de Lamartine would, so far from strengthening that vitality, only

hast en its destruction. M. Villemain, at considerable length, defended the conservative policy which he insisted was the most just and expedient for France to pursue in settling the question of the east.

The next day was signalized by the speech of M. Thiers, who entered into an elaborate review of the policy of France relating to the affairs of the Levant, and some of the sentiments expressed by this statesman, possess an interest, derived from his position, and the events which subsequently followed, and in which he bore so conspicuous a part. He said, that all the imaginable systems devised with reference to the east, resolved themselves into two — one, the policy of action, which tended, sooner or later, to the partition of the Ottoman empire, and which rested on the views of Russia, the power which seemed most disposed to make that dismemberment ; the other system, which seemed to have been adopted by the present government, consisted in looking on the Ottoman empire, not as one which was imperishable or eternal, but as one which, though not easy to save, might be saved—a system of precautions, in order, that if the catastrophe of its destruction did occur, France might assume that situation which her interests and dignity required. He approved of the policy of government in choosing the latter. The policy of the whole world is the policy of precaution, the policy of peace, which did not exclude views of grandeur, when such views were practicable. The nation with which France ought to be associated in the policy of precaution, in the policy of keeping things in *statu quo*, was England. He avowed he was a partizan of the English alliance, such a partizan as a man might be who did not forget the dignity of his own country, but he did not pretend to say, that if there were wrongs, and acts of injustice, and ill-treatment, on the part of England, that alliance ought to continue. For his own part, he had no wish to renounce such a noble alliance, which was founded not only on physical power, but on the moral force of principles. England and France together might raise their two flags, on which would be inscribed, " Moderate Freedom, and the Peace of the World." He could not help feeling, that some coldness was felt by England towards France, arising from the fact, that the latter power was now supposed to espouse warmly the cause of Mehemet Ali, and to be willing to give him the whole of Syria, whereas England wished him to have only a part. This policy on the part of France, had not, at first, been explicitly revealed ; and, therefore, England naturally imagined, that she had changed her original views. He was convinced, that England could not fail to perceive some obscurity in the conduct and language of his countrymen.

This assertion of M. Thiers, caused a great commotion and loud murmurs in the chamber, and he, at last, said, that he would retract the word, "obscurity," but his belief was, that the views and intentions of France had been misunderstood. If, notwithstanding the reasons urged by France against the proposals to curtail the power of Mehemet Ali, and divide Syria, these were persisted in, then he should advise his country, not indeed, to come to a rupture with the other powers, but to retire

within herself, and await the course of events.

M. Duchatel (minister of the interior) followed, and professed his agreement with the general principles of M. Thiers, as to the policy to be pursued by France. That policy was to arrest the progress of Russian ambition, and maintain the system of the *statu quo*, for which the best guarantee, was the continuance of the alliance between France and England.

Afterwards the chamber almost unanimously adopted the paragraph in the address relating to the question of the East, and when that which alluded to Algiers became the theme of discussion, M. Lanyer proposed, instead of the concluding words "after victory, we do not doubt that your government will seek, in concert with the two chambers, the definitive means of guaranteeing the security and stability of the establishments which France wishes to preserve in Algiers," the following amendment, "will seek the definitive means of guaranteeing in the province of Algiers, and in that of Constantine, the progress and security of our establishments *in a soil which French dominion will no longer relinquish.*" To this statement M. Dufaure (minister of public works), expressed his assent, but proposed the following slight variation at the end, "which France wishes to preserve in a soil which her dominion will no longer relinquish." This was adopted by a large majority of the chamber, and in the end the whole of the address was submitted to the ordeal of the ballot, and out of 255 votes, 212 were in favour of it, and only 43 against it. So that it was carried by a large majority.

We have devoted a somewhat disproportionate space to the opening of the session and the debate on the address, because we conceive that the reader will be best enabled from it to judge of the state of political feeling in France, particularly as regards what may be called foreign questions. In the rupture that had taken place between the Sublime Porte and the pasha of Egypt, there were elements of strife which might ultimately convulse the whole of Europe, and the utmost moderation and caution, on the part of the great powers, were necessary to prevent mutual jealousy and mistrust from kindling the flames of a general war. It was well known that France took the part of Mehemet Ali in the quarrel, and it was generally believed that the refusal of that victorious pasha to deliver up the Turkish fleet to his nominal master, the sultan, arose from his reliance on French promises, and his expectation, in case of need, of French assistance. Several circumstances may have influenced the policy of France in the course she adopted with reference to the affairs of the Levant. In the first place, no doubt, there was her old hereditary jealousy of England, in the fact of whose Indian possessions she always pretended to see daring projects of ambition in the East, and she might hope, therefore, to diminish the power of Great Britain in that quarter, by erecting Egypt into a strong and independent kingdom, worked upon by French influence, and supported by French power; in the second place, France had established a footing on the soil of Africa, which, as was emphatically declared in the address carried by a large majority in the chamber of deputies, she was determined never

to abandon; and in severing Egypt from Turkey, she might look forward, at some distant day, to approximate her own conquests in Africa to the former kingdom, which would, as a separate state, yield to her dominion much more easily than if it remained part of the great Ottoman empire. But, whatever may have been the motives of France in the matter, there can be no doubt of the fact, that of all the great powers in Europe, she was one which favoured most the ambitious view of the pacha of Egypt, and it was her obstinate resolution, in this respect, which led to that isolation of herself in diplomacy, and that explosion of violent hostility against England which we shall soon have to narrate.

On the 9th of February M. Guizot was appointed ambassador of France in England in the room of general count Sebastiani, and, as the sentiments of this eminent statesman were known to be favourable to a good understanding between the two countries, it was hoped that his nomination was a sort of guarantee, on the part of France, that she wished to bring all matters of difference to an amicable settlement. For some time in the early part of the year negotiations had been going on for a marriage between the duke de Nemours and the princess Victoria Augusta Antoinette, daughter of the duke of Saxe Coburg, and cousin of queen Victoria of England. It was a question connected with this marriage which caused the downfal of the Soult ministry. It was proposed by ministers that 500,000 francs should be immediately voted by the chambers in order to defray the expences of the marriage, that an annuity of the same amount should be settled on the royal duke during his life, and a jointure of 300,000 francs on his wife if she should survive him. This project was vehemently attacked by the opposition, with M. Odillon Barrot at its head. They said, that previous to the revolution of July, the private property of every prince who ascended the throne of France merged in the royal domain. That Louis Philippe, however, had stipulated that his property, estimated at 80,000,000 francs (£2,200,000), should be divided amongst his children, whilst he himself had the direction of it during his life, and they asked why the king, whose annual income, private and public, exceeded 25,000,000 francs, (or £100,000), should not support his own family, without imposing that burden on the country.

M. Odillon Barrot said, that the compact made in 1830 with the king was, that it was only in case his private property was insufficient, that the state was ever to be called upon to make such a provision as was now demanded. He deplored this as a bad measure, but as such a compact had been formed, he insisted that they were bound to see that the private fortune of Louis Philippe was unable to provide a suitable apanage for his son, before they called upon the people to support the burden of it.

A committee of deputies was appointed to draw up a project with regard to this apanage or dotation of the duke de Nemours, and it became the most exciting topic amongst the politicians of Paris. Louis Philippe was naturally anxious to have the dotation voted by the chamber, and the ministry exposed themselves to great

obloquy by supporting their royal master, at a time when much public distress was prevalent, and the manufacturers were loud in their complaints as to the state of trade. Perhaps, however, nothing tended to make the measure unpopular, more strongly than the appearance of a *brochure* attacking it, from the pen of M. de Cormenin, a member of the chamber of deputies, better, perhaps, known under his assumed name of Timon, and one of the most brilliant pamphleteers in Europe. The chief argument he used on this occasion was bringing together the immense number of pensions and salaries which this annuity of 500,000 francs demanded for the duke would pay off, showing, that for a single general they were asked to vote the pay of 12 marshals and 3 admirals of France; for a single member of the legion of honour the pay of 2000 members; for a single christian the pay of 50 bishops, and so on. To give some idea of the impression produced by this pamphlet of M. de Cormenin, we may mention that three editions of 10,000 copies were sold within a week.

When the committee presented their report to the chamber at the end of February, the deputies, without any debate, by a majority of 226 to 200, refused even to consider the paragraphs of the projected measure. The chamber adjourned immediately after the vote, and the ministers tendered their resignations to the king. The politicians most active in defeating this measure were M. Thiers and M. Odillon Barrot. The former exerted himself to the utmost in influencing the deputies in private against the bill, which had become so unpopular, that many of the departments, and one or two of the arrondissements of Paris, had called upon their representatives to oppose it. The king felt the rejection of the proposed dotation keenly, and his former dislike of M. Thiers was increased now to personal aversion. He sent for the duke de Broglie to see whether he could form an administration, and had communications with count Molé and M. Guizot, who had not yet left Paris for London in his capacity as ambassador, and who had voted for the "dotation" bill. But it was of no avail, and, after trying various combinations, Louis Philippe was obliged, on the 26th of February, to send for M. Thiers to the palace, and give him authority to form a ministry, with the office of president of the council for himself. The following cabinet was accordingly formed and installed in office.

M. Thiers, Minister for Foreign Affairs, and President of the Council.

M. Vivien, Keeper of the Seals, and Minister of Justice and Religion.

General Deshon Cubieres, Minister of War.

Admiral Roussin, Minister of Marine and Colonies.

M. Remusat, Minister of the Interior.

M. Gonin, Minister of Commerce.

Count Jaubert, Minister of Public works.

M. Cousin, Minister of Public instruction.

M. Pelet (de la Lozere) Minister of Finance.

The strength of the new ministry was soon put to the test, when M. Remusat moved for a grant of a million of francs for secret service money. The result was their signal triumph. A mo-

tion to reduce the grant by 100,000 francs was rejected by a majority of 241 votes to 158, and the original proposition carried by 246 to 160. This large majority was secured by the accession of the conservatives of the right centre to the side of ministers, influenced by the representations of M. Thiers, that it was to save the Orleans dynasty from obloquy, and preserve the constitution from the attacks of the extreme party in the state, that he had voted as he did on the dotation question. They also hoped that he would pursue a moderate course in politics.

On the 20th of April, the marriage of the duke de Nemours with the princess Victoria, of Saxe Coburg, was solemnized. The sugar question at this time was the principal topic of discussion in the chamber of deputies. The strife lay between the growers and manufacturers of beet-root sugar, who insisted upon a high protecting duty on colonial sugars, and the mercantile and colonial interests, who wished to suppress the manufacture from beet-root, and have the preference given to the sugar produce of the French foreign possessions. Ultimately, a sugar bill was passed by a large majority, imposing a duty of 20 francs per kilogramme on foreign sugar more than on French colonial sugar.

The French ministry at this time brought forward a measure which was exactly suited to give them popularity in a country whose inhabitants are so fond of effect and spectacle. M. de Remusat, in the chamber of deputies, proposed that the prince de Joinville (the third son of Louis Philippe) should be sent in a frigate to St. Helena to bring the ashes of Napoleon to France, and deposit them on the banks of the Seine, where the deceased emperor himself had expressed a wish to lie "amongst the French people whom he loved so well." He stated that England had magnanimously consented to this proposal of the government, which was received with acclamation by the chamber. A bill was afterwards passed in the month of June for making a railroad from Paris to Rouen, and on the 15th of July the session was closed by a prorogation.

CHAPTER X.

FRANCE *continued—Change in aspect of Affairs—Treaty entered into between England, Russia, Austria and Prussia—Explanation given by Lord Palmerston—Effect of this on public feeling in France—War-cry raised by the Press—Supposed insult offered to the French French Flag at the Mauritius—Descent of Prince Louis Napoleon at Boulogne—His Capture Trial and Imprisonment—Visit of Louis Philippe to Boulogne—Warlike tone of the French Journals—Disturbances and Strike of the Workmen at Paris—Republican Festival near Paris—Trial of Madame Lafarge—Bombardment of Beyrout by Admiral Stopford—Project for surrounding Paris with fortifications—Reasons for and against this Measure—Votes addressed by M. Thiers to M. Guizot in London—*CASUS BELLI—*Attempt to Assassinate Louis Philippe—Trial and Condemnation of Darmes the Assassin—Difference of Opinion between the King and M. Thiers—Resignation of the latter and his Colleagues—Formation of a Soult-Guizot Cabinet—Convocation of the Chambers—Royal Speech—Election of M. Sauzet as President of the Chamber of Deputies—Speeches of M. Thiers and M. Guizot—Difference in Policy of the two Ministers—Debate on the Address in the Chamber of Deputies—Fall of St. Jean d'Acre, and effect of the News in Paris—Speeches of Marshal Soult—M. M. Thiers, Guizot, Odillon Barrot, de Tocqueville, Berryer, de Lamartine, and Maguin—Scandalous Scene in the French Chamber—Address carried by a large Majority—Arrival in France of the Remains of the Emperor Napoleon from St. Helena—Funeral Obsequies—*ALGIERS—*Treaty of the Tafna—Commencement of Hostilities by the Emir Abd el Kader—He crosses the Chiffa, and devastates the Plain of the Mitidja—Reinforcement of the French army in Africa, and successes there.*

AT the close of the Session, notwithstanding the circumstances of opposition to Louis Philippe, under which the Thiers ministry had acceded to power, its stability seemed secure from the strong support it met with from the two chambers. But an event soon occurred which entirely changed the aspect of affairs. At the end of July, the French nation heard with astonishment that a final settlement of the eastern question had been made by England, Russia, Prussia and Austria, in a secret treaty or convention, from which France was excluded. A detailed narrative of this finds a more appropriate place in the portion of our volume devoted to

the domestic history of England. Hence it will be sufficient briefly to mention, that according to the statement made by lord Palmerston in the House of Commons, negotiations had been going on for nearly twelve months, between the four great powers and France relative to the affairs of the east. France had been repeatedly told, although she and the other high contracting parties were agreed upon the necessity of maintaining the integrity and independence of the Turkish empire under its present dynasty, yet, that if there was such a difference of opinion as to the particular measures to be adopted, that she found it impossible to associate herself with them in carrying them into effect, she must not be surprised if they acted without her. Two or three months before the convention was signed, a distinct arrangement was proposed to France, stating the limits to which the four powers would go, in the direction France desired, and in which they desired her co-operation. After two months consideration, the French government stated reasons why she could not be a party to it. The four powers then determined to carry that arrangement into effect, and the convention was forwarded to France two days after it was signed.

This simple and straightforward statement, excited throughout France a burst of indignation. Her pride was wounded, and the Parisian journals were loud in their denunciations against the treachery of England. They said that M. Guizot, their ambassador in London, ought at least to have been informed of the resolution, to make the ultimate convention *before* it was actually signed. And here we conceive there was ground of complaint on the part of France. To say the least it would have been more courteous towards that great and gallant nation, to have avoided even the semblance of a slight. M. Guizot was certainly kept in ignorance of the intention to come to this definitive arrangement so immediately, and he declared that he had been deceived in the matter. Perhaps there was no deception in the case, but the more proper course would have been, to apprise him that within a given time the convention would be signed, whether France consented to it or not, and allow him to communicate with his own government, before the signatures of the other four plenipotentiaries were affixed to the document.

But although there might be this apparent discourtesy, which however, was openly and unequivocally denied by lord Palmerston, there was nothing to justify the paroxysm of rage which immediately convulsed the minds of the French nation. M. Guizot was summoned to Paris to a conference with Louis Philippe and his ministers. Royal ordinances were passed, calling into active service 150,000 additional soldiers, and 10,000 seamen, five ships of the line, thirteen frigates, and nine steamers. The cry of the French press was nothing but war, and matters seemed likely to come to the last extremities. Pamphlets were published in Paris, of the most inflammatory nature, breathing bitter animosity against England, and raking up every cause of quarrel between the two countries, from the times of Crecy, Poictiers, and Agincourt, down to the present day. The only chance of arresting a war seemed to be the

known pacific inclinations of the king.

Several causes of irritation had sprung up between France and England, independently of difference of opinion on the important question of the east, and these though trivial in themselves, had excited much soreness in the minds of our sensitive neighbours, who seemed determined to cherish the remembrance of the old animosities between the two nations, and eagerly seize on any pretext for a quarrel. This, however, did not apply to all of them, for many of their most distinguished leaders were fully alive to the advantages of a friendly understanding between Great Britain and France, but speaking of the state of public feeling in the latter country, we must unhesitatingly state our opinion, that during this year, the French evinced an irritability towards England, which was wholly unjustified by facts, and made them ridiculous in the eyes of Europe.

Amongst other circumstances, was the following, which happened at Port Louis in the Mauritius at the close of the last year. An armed French transport called the Isére, was lying in the roads there, and had hoisted all the flags of the different nations which she had on board for the purpose of airing them, and it happened, we willingly believe quite accidentally, that the English flag trailed at the bottom of the rest. An English merchantman, named the Greenlaw, was anchored at no great distance, commanded by a Captain Driver, who fancying that in the display on board the French vessel, some insult was intended to the flag of his own country, immediately without asking for any explanation, brought out the French ensign which he had on board, and placed it at the head of his ship, beneath the bolt sprit so that it hung down into the water. This studied indignity was soon observed by the French on board the Isére, and long and angry communications took place, in which ultimately the governor of the Mauritius, sir William Nicolay, took part, and at one time it appeared very likely that open hostilities would take place between the batteries on shore and the French vessels in the harbour. The result however, was, that the cause of quarrel was shown to have been a mistake—both parties mutually explained, and the French vessels (we believe there were not more than two or three at Port Louis at the time) sailed away almost immediately, not however without much irritation and soreness on the minds of all who had been engaged in the dispute. This topic exaggerated and distorted as to its facts, occupied for some time the journals of the two nations, and tended to inflame the spirit of jealousy towards us, which was plainly manifesting itself throughout France. No other consequences however, of a more serious nature followed.

To return however, to the events that happened this year in France. An absurd attempt was made in the month of August by prince Louis Napoleon Buonaparte, to bring about a revolution in that kingdom, in favour of himself and his family. He hired an English steamer called the City of Edinburgh in London, and embarking there on board with count Montholon, general Voisin, and fifty three other persons, besides a tame eagle, (which was destined to act

no unimportant part in the drama) on Thursday the 6th of August landed at Boulogne in France. They marched into the town about five o'clock in the morning, and traversed the streets shouting "Vive l' Empereur." The first attempt they made was at the guardhouse, where they summoned the troops to surrender or join with them. The only man who proved a traitor to his sovereign was a young lieutenant of the 42nd, named Aladenize, who tried to induce the soldiers to accompany the prince. He however, failed in the attempt, and as the national guard soon beat to arms and began to muster in force, prince Louis retreated with his motley followers out of the town, towards the pillar on the height above Boulogne, called the Colonne de Napoleon, and there he planted a flag with a golden eagle at the top of the staff. Finding however, that he was hard pressed with unequal odds, he retreated to the beach and was captured in attempting to escape to the steamer which lay in the harbour. His followers also were taken, but one unfortunate man was shot while struggling in the waves. Prince Louis with count Montholon, general Voisin and others, was soon conveyed prisoners to Paris, where they were detained until they were tried before the chamber of peers on the charge of high treason. When he landed at Boulogne he immediately scattered printed papers, addressed to the French nation, in which he commenced by saying that the Bourbon dynasty had ceased to reign, and that he appointed M. Thiers president of the council, and marshal Clausel minister of war. We must not forget to mention, that the tame eagle on board the Edinburgh had been intended to create stage effect, by being let loose from the vessel and flying straight to the Colonne de Napoleon, where it was to alight, and thus be an omen of success to the revolution. For this purpose we believe the bird had been trained to take its food from prince Louis Napoleon, but we certainly cannot explain how these mad visionaries hoped to make it play its part in the tragi-comedy they were acting. The steam-boat was seized, and because she was an English vessel the most exaggerated and violent language was for a time held by the French press, which pretended that the English government had countenanced the insane attempt.

The trial of prince Louis and his followers did not take place until the beginning of October, before upwards of 160 of the peers of France, many of whom owed their elevation to his uncle, the emperor Napoleon. M. Berryer appeared as counsel for the prince, and count Montholon, and made a most eloquent defence, but in vain. The former was sentenced to perpetual imprisonment in a fortress in France; the latter, with three others, to twenty years "detention," and the rest to various terms of "detention." Lieutenant Aladenize was condemned to transportation. The prince was afterwards conveyed prisoner to the citadel of Ham, where, some years before, the members of the Polignac administration, had been confined after the revolution of July. It was generally believed, and not without reason, that prince Louis Napoleon had been betrayed into this rash project by false promises of co-operation in France, and that he fully reckoned upon a

manifestation in his favour in the capital, whenever his descent should be known there. He may have been duped by those who wished to make such an attempt subservient to their schemes in stock jobbing.

Soon after this event at Boulogne, Louis Philippe left Eu, where he was staying to pay a visit to that town, and thank the inhabitants for their loyalty. He embarked on board a steam-frigate, but the weather was so rough when he reached Boulogne harbour, that he could not land, and made for Calais, not without causing very general anxiety for his safety. From Calais he proceeded by land to Boulogne, where, in answer to some expressions used by an Englishman in his presence, he gave strong assurances of his wish to preserve peace with Great Britain, saying, "while I live there shall be peace between France and England."

Notwithstanding this, however, the tone of the French journals was as warlike as ever, and the total omission of the name of France in the royal speech on the prorogation of the British parliament in the middle of August, was distorted by them into a studied disrespect of "la grande nation." More intemperate language can hardly be conceived than that employed by them on this occasion, and nothing provoked them more than the perfect indifference with which England seemed to regard their blustering menaces; for, on this side the Channel, there appeared an unanimous determination not to take offence, or be dragged into a foolish and unnecessary war. Two circumstances at this juncture occurred which occupied the attention, and diverted the minds of our volatile neighbours from their schemes of vengeance and hostility. These were a formidable disturbance amongst the workmen of Paris, and the trial of madame Laffarge, for the murder of her husband. With regard to the first incident, it does not seem to have had any connexion with politics, but to have been occasioned by the demands of the workmen for an increase of wages, and reduction of the hours of labour. A system of "middlemen" had been introduced, who, coming between the workmen and the original contractor, brought down the wages of the former to the lowest possible amount, while the utmost labour was exacted from him. In the early part of September large bodies of men out of employ assembled on the plains of St. Denis, Aubervilliers, Bondi, and Pantin, and only dispersed when attacked by a strong body of horse and foot of the municipal guard. Several were taken prisoners, and being afterwards tried, were sentenced to various terms of imprisonment, and the capital was restored to tranquillity. About the same time a republican festival took place at a short distance from Paris, where upwards of 6,000 persons were assembled, many of whom wore the uniform of the national guard. Among other toasts given, were, "the abolition of all privileges," and "democracy, which alone can save France." Hundreds of people marched through the meeting singing the "Marseillaise" and other revolutionary songs. This shows how distempered and feverish was the public mind of France at this juncture.

The other incident to which we have alluded was the trial of madame Laffarge. We cannot de-

vote space to the details of this celebrated trial. It will be sufficient to state that she was accused of having murdered her husband in his country house at Glandier, by administering arsenic, under circumstances of peculiar atrocity. The trial took place at Tulle, and lasted a long time, attended by some circumstances of horrible interest, as the dead body of her husband was exhumed, and submitted to chemical tests in the vicinity of the court, long after decomposition had begun. The most morbid sympathy was displayed throughout France in favour of the accused, who was ultimately found guilty, and sentenced to imprisonment for life. We should not introduce such an event here, were it not for the fact, that it was one of such absorbing interest to the French nation, and the Parisians in particular, that it tended not a little to divert their thoughts from the fancied insult they had received from England, and to diminish the chances of a war.

In the meantime, England proceeded, in conjunction with the other three great powers, to give effect to the Brunow Convention, as it was called. The representatives of the four powers at Alexandria went to Mehemet Ali, and demanded his definitive assent to the proposed arrangement, but he refused to give it; and, on the 14th of August, commodore Napier, acting under the orders of admiral Stopford, who commanded the British fleet in the Levant, appeared off Beyrout, and summoned the Egyptian authorities to evacuate that place, and the whole of Syria. Considerable delay, however, elapsed before actual hostilities commenced, and it was not until the 9th of September that admiral Stopford anchored in the harbour of Beyrout, and brought the news of the final rejection by the pacha of the ultimatum addressed to him by the four great powers. Beyrout was bombarded, and taken by the forces of the combined British and Turkish fleets on the following day. About this time a project was brought forward for fortifying Paris, and an ordinance was published, in which it was stated that the capital was to be surrounded by a line of military works. According to one of the leading and most moderate of the French journals, this measure was resolved on not as a menace to Europe, but as an energetic reply to the concealed menaces of the quadruple treaty. "We have confided for ten years in the alliance of England; we confide in it no more. We stand alone, and alone are prepared, to maintain, if need be, the balance of power and independence of Europe. Paris, without defence, comprises the safety of the entire country; Paris, fortified, will prove its bulwark." The greatest activity continued to be displayed in all the public arsenals, cannon foundries and powder factories in preparing for the contingencies of war. But the proposed plan of surrounding Paris with a line of fortifications excited much discussion and difference of opinion. While, on the one hand, the advocates of the measure, said, that it would render the conquest of France impossible, and make invasion of the French soil useless; others, taking the same view as the whole of those who wrote upon the question in England, declared that it would facilitate the subjugation of the kingdom; for the enormous population confined within the defences would be soon reduced by

starvation to capitulate to a beleaguering army, without any necessity for storming the works. It may not be uninteresting to mention that Napoleon was in favour of fortifying Paris, and after the battle of Wagram, where he was victorious, seriously meditated the idea of commencing a line of defences round the French capital, from seeing how easily Vienna fell into his hands when the Austrian army had been defeated at Wagram. Mr. Pitt also wished, when he was prime minister, to put London into a state of defence, by fortifying various posts around it, but the scheme was never carried into effect.

Louis Philippe was known to have at heart the plan for fortifying Paris, but he had no wish to precipitate France into a war with England. On the other hand, the organs of his prime minister, M. Thiers, were the loudest and most violent in their hostile language towards that country, and they threatened that war would immediately be declared if any attempt were made to wrest Egypt from Mehemet Ali, as English cannon were already forcing him to evacuate Syria. A long note was addressed by M. Thiers on the 3rd of October to M. Guizot in London, in which he went in detail into the question of the alleged French grievances, endeavoured to refute the charge that France had isolated herself without cause in the late events, complained of the mode in which France had been treated by lord Palmerston in the clandestine execution of the Brunow convention, and ended by saying, that none of her agents had been authorized to say that her isolated position would be one of inaction, and that she always intended to preserve her full liberty in this respect. A few days afterwards, it being made known that the sultan had pronounced the deposition of Mehemet Ali from the Pashalic of Egypt, M. Thiers addressed another note to M. Guizot, in which he said, that although the Syrian part of the question might safely be left to the chances of the war then in progress, yet France could not assent to the carrying into effect the sentence of deposition pronounced at Constantinople. This was the famous *casus belli*, as it was somewhat pedantically called by the French in discussing the subject. There was, however, no fear of this event, as it was well known that England was prepared to grant to the Pasha the hereditary sovereignty of Egypt, provided he obeyed the exigencies of his situation, and gave up Syria to the demands of the four great powers.

Just at this period an attempt was made to assassinate the king, Louis Philippe. Another of those regicide fanatics, whose repeated attempts on the life of the king of the French, have excited horror throughout Europe, by name Darmes, a native of Marseilles, fired at the royal carriage in which the king sat, as he was leaving the Tuilleries for St. Cloud, on the evening of the 15th of October. Providentially, he missed his aim, and was instantly seized, when he avowed his crime, and said, that he wished to rid his country of a tyrant. He was afterwards tried, and condemned to death, but the sentence was commuted into confinement for life.

The critical state of public affairs, and the necessity of taking the opinion of the French chambers on the question of the fortifications, determined the king to call

them together again, and open a new session without delay. The recent attempt upon his life had excited a sympathy in behalf of himself and his family, which he was determined to turn to account, and he was thereby enabled to resist more firmly the warlike inclinations of M. Thiers and his colleagues. It was well known that serious differences of opinion existed between Louis Philippe and his government, on the question of peace or war, and it did not create much astonishment in Paris when the fact was announced, that on the evening of the 14th of October, M. Thiers and his colleagues had tendered their resignations to the king, which he had accepted, The specific reason for this step was said to be an irreconcilable difference of opinion as to the speech to be delivered by the king at the opening of the Chambers. M. Thiers wished to announce the intended levy of 150,000 additional troops, and breathe a warlike tone throughout. The king would not consent to this threatening addition to the French army, for he was resolved, if possible, to maintain peace, Hence the rupture. An attempt was made to effect a combination between marshal Soult and count Molé, but this failing, M. Guizot was sent for from London, and at last what was called a Soult-Guizot cabinet was produced, in which the offices were distributed as follows ;—

Marshal Soult (Duke of Dalmatia), President of the Council, and Minister of War.

M. Guizot, Minister of Foreign Affairs.

M. Duchatel, Minister of the Interior.

M. Humann, Minister of Finance.

M. Martin (du Nord), Minister of Justice and Public Worship.

Admiral Duperrè, Minister of Marine and Colonies.

M. Villemain, Minister of Public Instruction.

M. Cunin-Gridaine, Minister of Commerce and Agriculture.

M. Teste, Minister of Public Works.

The Chambers were convened for the 5th of November, when they were opened by the king in person. He was received with much enthusiasm, and was more than usually affected by the demonstrations of respect, which greeted him on all sides. A number of deputies crowded round M. Guizot, who, although not nominally at the head of the new ministry, was known to constitute its effective strength. The king read his speech from the throne, which we subjoin at length below, as it will be the best indication of the views and policy of the new cabinet at this important juncture.

" Gentlemen, Peers, and Deputies,—I have felt the necessity of assembling you round me before the ordinary period of the convocation of the chambers. The measures which the emperor of Austria, the queen of Great Britain, the king of Prussia, and the emperor of Russia, have taken in concert to regulate the relations between the sultan and the Pasha of Egypt, have imposed serious duties upon me. I have the dignity of my country at heart, as much as its security and repose. In persevering in this moderate and conciliatory policy, of which we have reaped the fruit for the last ten years, I have placed France in a position to face the chances which the course of events in the East may produce. The extraordinary

credits which have been opened with this intention will be submitted to you, and you will appreciate the motives of them. I continue to hope that the general peace will not be disturbed. It is necessary for the common interests of Europe, the happiness of its population, and the progress of civilisation. I depend upon you to assist me to maintain it, as I should rely upon it, if the honour of France, and the rank which she holds amongst nations, commanded us to make new efforts.

"Peace was re-established in the north of Spain, and we congratulated ourselves on that happy result. We should see with grief that the evils of anarchy came to replace the evils of civil war. I have the most sincere interest in Spain. May the stability of Isabella II., and of the institutions which ought to sustain the throne, preserve that noble country from the long and grievous evils of revolutions!

"Not having obtained from the Argentine Republic the satisfaction which we have claimed, I have ordered that new forces should be added to the squadron charged to insure respect for our rights, and protection for our interests.

"Success has crowned several important expeditions in Africa, where the valour of our soldiers has been signalized. Two of my sons have partaken of their perils. Exertions are still necessary to guarantee in Algeria the safety and prosperity of our establishments. My government will know how to accomplish what we have undertaken.

"The city of Boulogne has been the theatre of a foolish attempt, which has only served again to call forth the devotion of the national guard, of the army, and of the population. All ambitious attempts will fail against a monarchy founded and defended by the all-powerful expression of the national will.

"The budget law will soon be submitted to your examination. I have prescribed the most severe economy in the establishment of the ordinary expenses. Events have imposed upon us unexpected charges. I have the confidence that public prosperity, at its extreme pitch, will permit us to support them without affecting the state of our finances.

"The dispositions will be presented to you of public utility on behalf of literature and education.

"Gentlemen, I have never claimed with more earnestness and confidence your loyal assistance. Anarchical passions have not been discouraged by impotency. Under whatever form they may be presented, my government will find, in the existing laws and in the firm maintenance of the public liberties, the necessary means to put them down. As for me, in the trials imposed on me by Providence, I can only be grateful for the protection which it has not ceased to throw over me, as well as my family; and to prove to France, by a never-failing attention to her interests and happiness, the gratitude inspired in me by the testimonials of affection with which it surrounds me in these cruel moments."

Afterwards the Chamber of Deputies proceeded to the election of a president. As this was a trial of ministerial strength, the result was looked for with much anxiety, and it was triumphantly in favour of ministers. The names and numbers stood as follows:—

M. Sauzet . . . 220 votes
M. Odillon Barrot . 154
M. Thiers 4
M. Berryer 1
M. Dupin 1
M. Dufaure . . . 1

The four vice presidents elected were M. M. Calmon, Dufaure, Jaiqueminot, and Salvandy. Out of the list of members appointed as a committee to draw up the Address, the ministry had a majority of seven to two. Amongst the names were those of M. M. Passy, Remusat, De Lamartine, and Dupin.

In the different bureaus there was much preliminary discussion, and in the fifth, of which M. Thiers was a member, the late president of the council entered into a long statement of late events, and a history of the resignation of himself and his colleagues. He said, "when the bombardment of Beyrout took place, I demanded of the Crown three things, first, the completion of the armament, secondly the convention of the Chambers as speedily as possible, in order to demand of them the completion of the armament, thirdly that the fleet should be sent to Alexandria to cover this important position, and support the moral altitude of the Egyptians. These propositions were rejected, and my colleagues and I gave in our resignation. The duke de Broglie was called in and a compromise was effected. The moment for drawing up the Speech from the Crown being come, the cabinet renewed its proposals, the principle of which was, the completion of the general armament. The proposal of the cabinet not being accepted, the resignations were again renewed and irrevocably given." In the eighth bureau M. Guizot said, that in the opinion of the present cabinet the maintenance of the Pasha was not the question. As to the question of armaments, the cabinet did not coincide with the views of its predecessors. They had already 480,000 men. In the present state of things there was no necessity for further armaments. The late cabinet wished to put on foot 150,000 men more. That would be a direct movement for war. The preceding cabinet looked upon war as all but inevitable, whilst the new cabinet believed in the possibility of maintaining peace with honour.

This then was the cardinal point of difference between the Thiers and the Soult-Guizot ministry. The former was disposed to act an aggressive part, and throw down the gauntlet to Europe in defiance; the latter considered war as an alternative if possible to be avoided, and wished to act in a spirit of conciliation. With the exception of a violent portion of the press, who echoed the war-cry of the defeated party, the general feeling in France was returning to a more healthy state, and although the public mind was exceedingly sensitive on the subject of "national dignity and honour," yet it seemed prepared to consider neither the one nor the other so affected by the proceedings of the other powers as to call for the bloody satisfaction of the battle-field. The address which was carried in the Chamber of Peers was a mere echo of the Speech, with the usual amendment in favour of the nationality of Poland. The paragraph relating to the Eastern Question contained two or three grandiloquent expressions to satisfy the national *amour propre*, such as, "the dignity of a people is its very existence, and we know how

much the dignity of France is dear to the heart of the king. The French would rise at "your voice, and be ready to make every sacrifice, sooner than consent to the degradation of their country;" but the time and tendency of the whole were obviously pacific. M. Guizot himself made an eloquent appeal in favour of the continuance of peace.

In the Chamber of Deputies the Address prepared by the committee was very long, and excited violent opposition. Loud murmurs attended the reading of it, and some portions were greeted with shouts of ironical laughter. In that part where the address seemed to put the *casus belli* upon the possibility of an invasion of the French soil, the uproar from the left and left-centre was so great, that for a long time the president was unable to obtain a hearing, and loud laughter not undeservedly followed the reading of the sentence, "confide sire, in your star, as we confide ourselves in the perpetuity of your dynasty." But the Address was equally pacific in its tone, with that which had been adopted in the Chamber of Peers, and said, "peace if possible, an honourable and certain peace, which will leave unimpaired the balance of power in Europe, such is our first wish."

The discussion was commenced on the 25th of November, by marshal Soult, (our readers are aware that in France, the king's ministers have the right to take part in the debates in either chamber, though they can only vote in that to which they respectively belong). He alluded to his own friendly reception in England in the year 1838, on the occasion of the coronation of queen Victoria, which he attributed to the amicable feeling of England towards France. He denied that France had been insulted. Her concurrence had been asked for, and she had refused of her own free will.

M. Thiers followed in a long and vehement speech, in the course of which he said, "France has been grossly duped, a pretext has been sought and found to break off her alliance. A treaty was made without her knowledge and consent. I do not accuse the English people, I do not accuse the English cabinet, but I do accuse one man, and that man is Lord Palmerston."

We ought to have mentioned that it was at this juncture that the news of the capture of St. Jean d' Acre, by the fleet under the command of the English admiral, sir R. Stopford, had been received in Paris, and this event gave new impulse to the violence of the war-party, who set no bounds to their fury against England, and exerted every effort to provoke that country to recriminate and so bring on a war. M. Thiers at the conclusion of his harangue said, "Yes, gentlemen, whenever Europe, the whole of Europe should say to us, 'if you do not choose such and such a thing we will do it without you, and in spite of you,' I would cry 'war,' let us be what our fathers were, and let us never descend from the rank to which they raised us."

M. Guizot followed, and defended England from the charge of bad faith, although he admitted that her conduct had shown a want of courtesy. With regard to the affairs of the east, he said, that Egypt being now secured to Mehemet Ali, and Syria *de facto* lost to the Pasha, the cabinet was bound to accept *les faits accomplis*

and recommend the pasha to submit.

The debate lasted for several days, and all the leading speakers in the Chamber took part in it. Amongst others were M. Odillon Barrot, M. de Tocqueville, M. Berryer, M. de Lamartine, and M. Maguin. The three first vehemently opposed the Address as deficient in spirit and inadequate to the crisis. Their "voice was open war." We quote one passage from the eloquent harangue of M. Berryer to show the state of excited feeling under which the deputies were now discussing the gravest question which can occupy the attention of a public assembly. "I hear," exclaimed the orator, "I hear the cannon of St. Jean d' Acre: I hear the cannon, the English cannon, beating down the walls of that town before which Napoleon was checked; but I also hear the cannon which announces the arrival of the mortal remains, which have so long been held captive by the English. Will you allow these remains to descend into the tomb, without making a protest which shall fill with joy the *manes* of that enemy of England?" M. de Lamartine on the contrary made a most able and temperate speech, recommending a conciliatory policy, and denying that any insult had been committed or intended against France. He urged the Chamber to disregard the violence of an incendiary press, and not to credit the existence of any hatred towards France on the part of the other European Powers. M. Maguin spoke furiously against England, and recommended France to give up her alliance with that country for one with Russia. Towards the conclusion of the debate a scandalous scene occurred, in consequence of a charge made by M. Demousseaux de Givre against M. Thiers, of having made use of the war-cry in France for private speculations in the funds. The most violent tumult followed, and the confusion became so great that the president being unable to obtain silence, at last put on his hat and the sitting was suspended for half an hour. M. Thiers at some length indignantly repelled the accusation of M de Givre, and said that he was the first to direct the attention of the minister of justice to the gambling that was going on at the Bourse. Notwithstanding the tirade of the opposition, the good sense of the Chamber ultimately prevailed, and ministers obtained a triumphant majority in favour of the address.

The numbers were, for the address 247; Against it 161: Majority 86.

The chief subject of discussion during the remainder of the year, was the question of the fortifications of Paris, but this we reserve for our next volume.

The incident alluded to by M. Berryer in his speech, was the arrival from St. Helena, of the Belle Poule frigate commanded by the prince de Joinville, which came to anchor at Cherbourg on the 30th of November, with the mortal remains of the emperor Napoleon on board. From thence they were conveyed in a steam-boat up the Seine to Paris, and on the 15th of December were interred in the Hotel des Invalides, on the right bank of the Seine. The pageant was of the most gorgeous character and was attended by the royal family, ministers, and all the great functionaries of the kingdom. It seemed hardly to excite any political feeling whatever, and the

Parisians looked upon the cortège as they would upon any other magnificent spectacle, amusing them for the hour and then forgotten.

Algiers.—In our last volume we briefly mentioned that a renewal of hostilities had taken place in Africa at the close of the year, between the French army there, and the Emir Abd el Kader. The facts are shortly as follows. By the treaty of the Tafna* in 1837, peace had been concluded between this warlike Arab chieftain and general Bugeaud, on the part of the French, whereby, the former acknowledged the sovereignty of France over the possessions which she had acquired by right of conquest in Africa. These possessions were divided into three districts or provinces, Algiers, Oran, and Constantine. Of the two latter, Oran lay to the east and Constantine to the west of the principal province of Algiers. One of the chief points in the treaty of peace, was the establishment of commercial intercourse, between the colonists and inhabitants within the pale of the French possessions, and the Arabs of the desert. The consequence was, that the markets in the plain of the Metidja were frequented by the Arabs, who soon evinced eagerness to exchange their products and horses and camels, for the cotton, silk, iron, steel, and other commodities, offered to them by their more civilized neighbours.

Abd el Kader, however, seems to have looked upon the French in no other light than as hostile invaders of the soil, and to have cherished throughout feelings of hatred, which he concealed only until the time came, when he conceived he might strike a blow with effect. He established a strict monopoly of all the articles of merchandise, and employed for this purpose the Jew, Ben Durand and his consul at Oran. The Arabs were obliged to place their corn and other commodities in the hands of these agents, and receive through them whatever was obtained in exchange. This system, however, was odious to all parties, and was interrupted by the sudden death of Ben Durand, who was supposed to have been poisoned. Not long afterwards Abd el Kader issued a prohibition, strictly forbidding all intercourse between the Arabs and the Infidels. The former were not allowed to frequent the markets in the province of Algiers or Oran, and fifteen days only were given them to wind up any commercial transactions in which they might be engaged, at the end of which period they incurred the penalty of death, if they attempted any intercourse within the French lines.

In the meantime every expedient was resorted to by the Emir, to excite the hostility of the Mussulmen tribes against the Christians, and urged them to engage in a sacred war to extirpate the invaders from the African soil. For this purpose emissaries were sent amongst the different tribes, by Abd el Kader, and he himself moved from place to place busily employed in preparing for the outbreak which he meditated, while he was in the neighbourhood of Oran and Mostaganem, the markets were deserted by the Arabs who trembled at the terrible effects of his displeasure, at Hemsem he drove away and dispersed the inhabitants congregated in that town, and endeavoured without success, to bring over to his views the tribes who acknow-

ledged Mustapha Ben Ismael as their chief.

At last Abd el Kader thought the time favourable for declaring war. The number of French troops in Africa did not amount to more than 40,000 men, who had to occupy a territory extending 250 leagues along the coast, and penetrating far into the interior, where thirty or forty garrisons had to be maintained, in the midst of a hostile population. These troops also were suffering severely from the unhealthiness of the climate, and the whole effective force ready for service did not exceed 25,000 men.

On the 18th of November, 1839, Abd el Kader addressed a letter to marshal Valée, who commanded the French army in Africa, in which he stated that all the faithful Mussulmen had determined on a sacred war against the Christians, that he had used all his efforts to prevent them, but that no alternative was now left him, but to side with him and obey the law of his religion, which commanded war against the Infidels.

On the 20th of November, the Emir crossed the Chiffa with his Arabs, and began the work of devastation and massacre in the great plain of the Metidja. Clouds of Bedouin Arabs, surrounded the French posts which were attacked and driven in, and half of a battalion was cut off and destroyed. The farms and villages of the colonists were set on fire, and they fled for refuge to the camps. The suddenness of the attack had taken the French by surprise, who at first suffered considerable loss. The fiercest of the Arab hordes consisted of the tribe of the Hadjoutes, who are described by marshal Valée in his despatch to the government as the most warlike and violent of the enemy.

On the 2nd of December it was officially announced in the *Moniteur*, that war had again broken out in Africa, and that vigorous measures would be taken to maintain the dignity of France, and that a large reinforcement would be immediately sent to the army in Algiers. It would be tedious and uninteresting to our readers, to give anything like a detailed account of the actions and skirmishes which took place this year, between the troops of marshal Valée and the Arabs of Abd el Kader. It will be sufficient to state, that the French army there was reinforced, until it amounted to upwards of 50,000 men, and many brilliant exploits were performed. The war, however, was not brought to a close, and it will, therefore, be better to defer an account of it until our next volume.*

* In the APPENDIX, however, will be found a despatch from marshal Vallée, giving an account of the operations of the French armies during the campaign.

CHAPTER XI.

TURKEY SYRIA AND EGYPT—*Conference of the Five Great European Powers at London on the Eastern Question—Views and Policy of France in the matter—The Hatti Scheriff promulgated with great pomp at Rhodes—Some of its provisions—Conduct and Preparations of Mehemet Ali—Royal Speech from the Throne at Constantinople—Insurrection of the Druses and Mountaineers in Syria—Explanation given by Lord Palmerston—Persecution of the Jews at Damascus and Rhodes—Horrible tortures inflicted upon them—Overthrow of the Grand Vizier Khosrew Pasha, and appointment of new Ministry at Constantinople—The Brunow Convention signed in London on the 15th of July—*ULTIMATUM *offered to the Pasha of Egypt—Sentence of deposition pronounced by the Sultan—Preparations of Mehemet Ali for War—Admiral Stopford and Commodore Napier appear off Beyrout—Cannonade and taking of Beyrout by the Allied Squadron—Position of Ibrahim Pasha—Saida taken by Commodore Napier—Retreat of Ibrahim Pasha—Note from Lord Palmerston to Lord Ponsonby—Surrender of the Emir Bechir—Tripoli, Tortosa, and Latakia, evacuated by the Egyptians—Storming of St. Jean d'Acre—Results of the Capture of Acre—Critical State of Ibrahim Pasha—Commodore Napier Sails for Alexandria—Convention between him and the Pasha—Sir R. Stopford refuses to ratify the Convention.* BELGIUM—*Resignation of Ministers and appointment of new Cabinet—Opening of Belgian Chambers and Royal Speech.* HOLLAND—*Abdication of the King, William I—Reason for this step—Official Announcement of Abdication with the causes assigned by the ex-King—Proclamation by William II.* HANOVER—*Answer of the King to the Deputation of the Assembly of the Estates on the occasion of presenting to them a new Constitution.* PRUSSIA—*Death of Frederick William III—His Will and Paper addressed to his Son Frederick William IV Extracts from both these Documents—Official Announcement made by the present King.*

TURKEY, SYRIA, AND EGYPT.—In our last volume* we mentioned that after the traitorous defection of the Turkish fleet to the side of Mehemet Ali, and its arrival in the harbour of Alexandria, the five great powers of Europe, England, France, Prussia, Russia, and Austria, officially made known to the Ottoman Porte, that they had determined to discuss and settle

* See vol. 81, p. 413.

together the embarrassed Question of the East; and that ultimately a conference was established in London, at which the ambassadors of those Powers were to meet with full authority from their respective governments to bring the matter to a definitive issue. M. de Brunow was the Minister despatched from the court of St. Petersburgh; and the final adjustment of the question by this conference is generally known by the name of the Brunow Convention.

We have in another part of this volume* stated the views of France as to the settlement of this question between the Porte and Pasha of Egypt. She had throughout been favourable to his ambitious projects, and there was good reason to believe that she had secretly encouraged him in his hostile acts, and importunate demands. When Achmet the Capitan Pasha, or Turkish admiral turned traitor to his sovereign, and went over with the whole fleet under his command to Egypt, the general voice of Europe denounced such an act of treachery, and exclaimed against the detention of the ships by one who still professed to style himself a vassal of the sultan, and there is little doubt that the representations made to Mehemet Ali to this effect would have had the result of the restoration of the fleet, had not that crafty Viceroy relied on the active assistance of France, in case he persisted in his refusal, and the demands of the other European Powers were enforced at the mouth of the cannon.

In the early part of the year Said Pasha, son-in-law of Mahmoud, the deceased father, was appointed capitan Pasha in the room of Achmet, and a firman was sent to Mehemet Ali who had still possession of the Turkish fleet to that effect. The promulgation of the Hatti Scheriff* was everywhere received with the greatest enthusiasm and joy, and in the beginning of the year the ministers of the Porte were busily employed in discussing and framing the laws and regulations necessary for its due execution. At Rhodes it was published on the 6th of January, in the midst of great pomp, and in the presence of all the consuls, the Ulemahs, the Greek Archbishop and Primates, the Rabbi of the Jews, and an immense multitude of people. One of the principal reforms introduced by the new system, was the abolition of the former mode of directly levying the Kharacht or Capitation-tax, which was for the future to be collected by the Elders of the different municipalities elected by the people themselves. By this means the arbitrary and oppressive mode of exacting this tax which had caused much discontent, was remedied. Fixed salaries were also for the first time given to the judges, and thus a better chance of their integrity was secured.

While the negotiations were going on in London, which were conducted with great secrecy, general rumour announced that three of the contracting powers, England, Austria and Russia, had come to the determination of compelling the Pasha to evacuate Syria forthwith, and restore the fleet to the Sultan, before they would entertain any proposition on his part to be allowed to retain Egypt, or any part of Syria in hereditary

* See p. 177.

* See vol. 81, p. 414.

possession. In the mean time Mehemet Ali vigorously prepared to resist. He daily inspected the Turco Egyptian fleet, and was said to have become highly popular with the Turkish officers and seamen. A species of levy *en masse* of troops was ordered. The workmen in the factories and different civil establishments in Cairo, were formed into a kind of militia and drilled, and 30,000 men were said to be embodied at Cairo. Ibrahim Pasha still commanded the army in Syria, and both that country and Egypt had been drained of effective men to reinforce his troops. Everything bore the appearance of determination on the part of the Pasha to resist force by force. He, had 70,000 regular troops in Syria, and 36,000 men on board the squadron, capable of serving by sea or on land, besides a vast number of irregulars, and upwards of 50,000 Bedouin Arabs. Ibrahim Pasha had his head quarters at Marasch with the main force of his army.

The negotiations in London continued to drag their slow length along, and month after month passed away without any definitive resolution being come to by the high contracting parties. Early in March the youthful Sultan at Constantinople addressed to his Council and the various high functionaries of the empire, a royal Speech from the throne, after the manner of the constitutional monarchies of Great Britain and France. The assembly which surrounded him and consisted of councillors of state, ministers and Ulemahs, had been reorganized by the Hatti Scheriff published last year at Gulhane, and as the royal Speech stated, since that time every question had been discussed by it with freedom and impartiality. The speech mentioned that the whole system of finance was being reformed, that competent judges with adequate fixed salaries had been appointed, and the general police of the country had been put upon a better footing. It professed also an anxious desire on the part of the head of the faithful to do away with all the abuses and vexations which still existed in the country; an Address was then adopted by the Council, accepting and reiterating the assurances in the Speech, and to this Address the Sultan affixed a Hatti Scheriff, in which he said that it was his determination to present himself solemnly before the Council, at the commencement of every year for the purpose of making known the royal sentiments on public affairs.

On the 27th of May an insurrection of an alarming nature broke out in Syria at Lebanon, among the Druses and Christians, against the Emir and the Egyptian government. The greatest discontent had for a long time existed in Syria against the arbitrary and oppressive tyranny of Mehemet Ali, who had exhausted the country by exactions and conscriptions to carry on his hostile manœuvres against the Porte. The pretext for the revolt was an order issued by the Pasha of Egypt to the Emir Bechir, to take away the arms which had been distributed formerly amongst the Druses and Christians of the mountains, which measure they alleged was intended to deprive them of the means of resisting still more extortionate demands for the future. Mehemet Ali, however, represented their opposition as an attempt to refuse payment of the taxation which was legally imposed and accordingly prepared to crush

the revolt by prompt and vigorous measures. The insurgents attacked Seida, Beyrout, Djibail, and Tripoli, in tumultuary crowds, but failing in their attempts ravaged the neighbourhood. The tribes most actively engaged in the insurrection, were the inhabitants of Mount Lebanon and the Druses, the Maronites and the Naplousians. The English government was charged with aiding and abetting this revolt, in order to weaken the power of Mehemet Ali in Syria, which Great Britain was determined not to concede to him in sovereignty; and when Lord Palmerston in the month of July was taxed with this, and asked whether any British agents had been employed in inciting the insurrection, he objected to that term (insurrection) being applied to the disturbances, because that signified a resistance of lawful authority, but asserted that "British interests had nothing on earth to do with it," as it was the natural result of an oppressive tyranny which had become intolerable. This modified denial excited much comment at the time, but lord Palmerston's view of the case seemed to be the correct one. Ultimately, the insurrection was suppressed by the combined efforts of Soliman Pasha and Ibrahim Pasha, seconded by a powerful force from Egypt.

Early in this year the Jews resident at Damascus and Rhodes were subject to a cruel persecution on a false and atrocious charge, that they used human blood in the celebration of the Passover. A Catholic priest named Father Thomas, suddenly disappeared from the quarter of Damascus, where he resided on the 7th of February. Having been last seen near the shop of a Jewish barber, the latter was seized and examined and finally subjected to the torture. He, under the agony of the moment, accused several of the principal Jews of having put father Thomas to death. Many of the Jews were immediately thrown into prison, and the most revolting barbarities were practised against them, to induce them to confess, as it was called, their ears were torn off, their faces flayed, and their chins, beards, and noses burnt with red-hot irons. An appeal was made to the Pasha of Egypt to put a stop to these horrors, and he issued peremptory orders to that effect, commanding that the matter should be investigated before a tribunal composed of the European consuls, specially delegated for that purpose. At a later period of the year, the Jews at Rhodes were accused of having abducted a Greek boy for the purpose of murdering him, and using his blood at the Passover, but after a trial and long investigation, the charge was pronounced to be false. Here also great barbarities had been practised and the Porte, in consequence, to show its sense of the injustice done to the Jews, deposed the Pasha of Rhodes from his government. When the news of these events reached England, sir Moses Montefiore as the representative or deputy of the Jews in this country, set off for Syria to see if he could be of any service to his persecuted brethren in the east.*

The grand vizier, Khosrew Pasha, had long been the most powerful and able minister in Turkey, and was the director of all the policy of the government at Constantinople. He was the inveterate

* For a more detailed account of this inhuman persecution, see APPENDIX.

enemy of Mehemet Ali, who had repeatedly declared that the grand vizier was the chief obstacle in the way of an amicable accommodation of the differences between himself and the Porte. He had now attained to a very advanced age, being about eighty years old when intrigues were set on foot, of which, it was said, the mother of the young Sultan, was at the head, for the purpose of overthrowing him. This was rendered the less difficult, owing to the lengthened delay that took place in coming to any final arrangement on the part of the five European Powers which had undertaken the settlement of the Eastern Question. All parties at Constantinople were becoming weary of the state of things in which no step could be taken with regard to the pasha of Egypt, without the concurrence of the five Powers; and there was a general wish, if possible, to bring the quarrel to a termination, by an amicable arrangement with Mehemet Ali. But, to effect this, it was necessary to remove Khosrew Pasha, and this was at last effected; and on the 8th of June he was formally deposed from office, and the following ministry was constituted.

Grand Vizier, Raouf Pasha.

Minister of Commerce, Fetti Ahtmed Pasha.

Seraskier of the Armies, Mustapha Nourri Pasha.

Capitan Pasha (Admiral of the Fleet), Said Pasha.

Minister for Foreign Affairs, Redschid Pasha.

There is reason to suppose that this change of ministry was chiefly owing to an expectation, that when it was effected, Mehemet Ali would restore the Turkish fleet, which was still in the harbour of Alexandria, but no such rendition took place. Khosrew Pasha was, on the 8th of July, sent into exile, on the alleged ground of participation in a plot against the government.

On the 15th of July occurred that event which brought the affairs of the Levant to a crisis, and which we have detailed elsewhere.* We mean the signature of a Convention at London between England, Russia, Austria, and Prussia, without the concurrence of France, whereby the following *ultimatum* was offered to the viceroy of Egypt.† He was to have the hereditary sovereignty of Egypt, and the possession of the pashalic of St. Jean d'Acre for life. If, within ten days from the notification of these terms, the pasha should not accept them, the sultan was to offer him Egypt alone, and if he still persisted in refusing, the four Powers were to compel him by force to accede to the proposed settlement. When Mehemet Ali had this offer formally made to him, on the part of the sultan, as the final decision of the four great Powers, he endeavoured to gain time by opening a negotiation with the Porte, and, for that purpose, despatched Rifat Bey to Constantinople with certain proposals on his part. These were not deemed satisfactory, and the sultan, acting upon hasty and intemperate advice, immediately pronounced the formal deposition of Mehemet Ali from the pashalic of Egypt, and sent a firman to Alexandria to notify the event. This inconsiderate act, which was strong-

* See page 171.

† For the particulars of this convention, known by the name of the Brunow Convention, see APPENDIX.

ly condemned by the four Powers, was the cause, as we shall hereafter see, of considerable difficulty and delay in the settlement of the dispute. Mehemet Ali now made up his mind for the worst, and said that he would not act as the aggressor, but would repel force by force. The most active preparations were immediately made by him for the coming storm, and he seemed resolutely determined not to yield, except to irresistible force. It was then resolved by the four Powers that the ports of Syria and Egypt should be declared to be in a state of blockade. Captain Napier almost immediately took some Egyptian vessels off the coast of Syria, and, appearing off Beyrout on the 14th of August, summoned the Egyptian authorities to evacuate that place, and anchored, with four vessels under his command, off the harbour. In the meantime, Admiral Stopford blockaded the port of Alexandria with three ships of the line, a frigate, and two steamers of the English fleet, and with two Austrian frigates and a schooner.

On the 9th of September admiral Stopford appeared off Beyrout, and the next day made preparations for bombarding and taking the town and fortress. The naval force consisted of the following vessels. With British pennants, the flagship, the Princess Charlotte, 110 guns; the Powerful, (commanded by commodore Napier), 84; the Ganges, 84; the Bellerophon, 80; the Thunderer, 84; the Benbow, 74; the Edinburgh, 76; the Revenge, 76; the Hastings, 74; the Castor, 36; the Pique, 36; the Carysfort, 26; the Zebra, 16, and four war steamers. Under the command of the Turkish admiral (Walker), there were one line-of-battle-ship, three frigates of 50 guns each, two corvettes, and one brig; and there were also two Austrian frigates, of 50 guns, and one corvette. The Egyptian troops were strongly posted, in great numbers, behind the crest of a hill to the south-west of the harbour, covered with copse-wood, and the fire of the Benbow opened upon these. Soon afterwards 5,000 men were landed from the ships between Djibail and Beyrout, and the other vessels then commenced the bombardment of the town and fortress. The next day, the 11th, the English and Austrian admirals sent a joint-note to Soliman Pasha, the governor of Beyrout, desiring him to remove his troops from the town, and thus put a stop to further effusion of blood. This he positively refused to do, upon which the town was bombarded with shot and shells until the 16th, when the Egyptian troops abandoned the place, and the firing ceased. In the meantime the allied troops had entrenched themselves in position at Djouni, under the command of commodore Napier. They amounted to about 12,000 men, including 3,000 Syrian mountaineers, who joined them soon after they had landed. Ibrahim Pasha, with an army of 14,000 men, occupied the range of hills above the encampment of the allies. But he soon found his ranks thinned by desertion, and after Saida had, on the 26th of September, been attacked and taken by storm by commodore Napier, who led on a body of British, Austrian, and Turkish troops (the archduke Ferdinand, of Austria, being the first in the breach), the force which Ibrahim commanded dispersed, and a large body of his troops joined the allies the next

day. He himself left Balbec with a small number of men, and retired, or rather fled, to Damascus. The ports of Syria and Alexandria were now strictly blockaded. On the 15th of October a despatch was addressed by Lord Palmerston to Lord Ponsonby, the British ambassador at Constantinople, in which he stated that the four Powers wished strongly to recommend to the sultan, that if Mehemet Ali should at an early period submit to the Porte, and should agree to restore the Turkish fleet, and to withdraw his troops from Syria, from Adana, Candia, and the Holy Cities, the sultan should not only reinstate Mehemet Ali as Pasha of Egypt, but should give him an hereditary tenure in that pashalic, liable, however, to forfeiture, on any infraction of the conditions of the treaty of the 15th of July, on the part of Mehemet Ali, or his successors. On the 10th of October an engagement took place between the allied troops and those under the command of Ibrahim and Soliman Pasha, in which the latter were completely defeated. The next day Beyrout was entered and occupied by British, Austrian, and Turkish troops. Previously to this, the Emir Bechir, finding it impossible to make head against the hostility of the Syrians around him, and the Anglo-Turkish force, concluded a convention on the 5th, whereby he engaged, on condition of having his life and property secured, to return to his allegiance to the sultan, and serve him with fidelity. He was soon after received on board an English war-steamer at Sidon, which had been taken by storm in a most gallant attack by commodore Napier only a short time before. In no long period after this, Tripoli, Tortosa, and Latakia were evacuated by their Egyptian garrisons, and taken possession of by the loyal inhabitants of the country, supported by Turkish troops.

On the 26th of October the Turkish admiral sent in a flag of truce to the strong fortress of St. Jean d'Acre, summoning the town to surrender. This, however, was not received, and the garrison threatened to fire on the boat that brought it, on the 3rd of November, it having been previously determined, in a council of war, to attempt and carry the place by storm. The allied squadron commenced hostilities against the fortress, which was believed to be almost impregnable. Admiral Sir R. Stopford went on board the Phœnix steamer, from which vessel he conducted the attack, although his flag still remained flying on board the Princess Charlotte. About mid-day the Phœnix opened her fire, and soon the action became general. The squadron was stationed in two divisions, as the town and fortress of Acre present two points to the sea, one to the west, and the other to the south. The Powerful (on board which was commodore Napier) leading the way to the northward, closely followed by the Princess Charlotte, Thunderer, Bellerophon, and Pique, while five other English frigates, with the Turkish and Austrian vessels, stood to the south. The Castor frigate took up her position about 700 yards from the batteries, which poured forth a tremendous and incessant fire. At a quarter past four a terrific explosion took place, owing to a shell from one of the frigates having ignited the powder magazine in the town. After this the fire from the southern batteries nearly ceased,

but the western side still vomited forth its flames, and the most destructive broadsides were poured in from the squadron. At half-past five the firing ceased on both sides; and, in the middle of the night, a small boat having come off to report that the Egyptian troops were leaving the town, 300 Turks, and a party of Austrian marines, were at daybreak landed, and took possession unopposed of the place. Yussouf Aga (colonel Schultz, a Pole), the chief engineer of the Egyptian army in Syria, who had conducted the defence, was taken prisoner, severely wounded, but Mahmoud Bey, the governor, effected at first his escape, until captured by the mountaineers. The havoc made by the guns from the squadron in the walls and town was very great, but, notwithstanding the long-continued fire from the batteries, the ships escaped with little damage, and the amount of loss was incredibly small, being only 14 English and 4 Turks killed, and 42 wounded. This was owing to the cannon of the fortress having been pointed at too distant a range, so that the shot passed over the ships. The attack on St. Jean d'Acre was, perhaps, the first occasion on which the advantages of steam have been tried in battle. There were four war-steamers engaged in the action, and the shells that were thrown from them did prodigious execution. They were enabled, with rapidity, to take up the most advantageous position, and rendered the greatest assistance during the bombardment. History presents no other instance of the downfal of such a fortress caused by the cannon of ships of war in so short a space of time. Perhaps, the exploit that approaches nearest to it, was the successful attack by Lord Exmouth upon Algiers.*

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* The following is an accurate statement of what may be called the Statistics of the Bombardment and Capture of Jean d'Acre.

1.—Naval forces employed.

Princess Charlotte, 104 (flag-ship of admiral the hon. sir R. Stopford, commander-in-chief), captain Fanshawe.

Powerful, 84 (broad pennant), commodore Napier.

Thunderer, 84, captain Berkeley.

Bellerophon, 80, captain Austen.

Revenge, 76, captain Waldegrave.

Benbow, 72, captain Stewart.

Edinburgh, 72, captain Henderson.

Castor, frigate, 36, captain Collier.

Pique, frigate, 36, captain Boxer.

Carysfort, frigate, 26 (heavy 32 H. S.) captain Martin.

Talbot, frigate, 28 (carron, 32 H. S.) captain Codrington.

Hazard, sloop, 18, commander hon. C. Elliot.

Wasp, brig, 16, commander Mansel.

Gorgon, steam-frigate, 2 and 4, captain Henderson.

Phœnix, steam-frigate, 2 and 2, commander R. Stopford.

Stromboli, steam-frigate, 2 and 4, commander W. Williams.

Vesuvius, steam-frigate, 2 and 4, commander Henderson.

Turkish flag-ship, 84, rear-admiral Walker.

Small cutter (captured), 8.

Austrian flag-ship, 60, admiral R. Baudiera.

Austrian frigate, 46, his royal highness archduke Frederick.

Corvette, 20.

The action took place on the 3d of November. The firing commenced at half-past 2 o'clock p.m. The action was general at 3 o'clock p.m. The magazine exploded at 4 o'clock p.m., and 1,700 men, fifty donkies, thirty camels, twelve cows, and some horses, killed.

The firing of the south division ceased at 5 p.m., and that of the north-west division at three-quarters past 5 p.m.

The town was evacuated during the night, and at 3 a.m. the troops of the allies were landed.

The British and allies, 18 killed and 42 wounded.

The Egyptians, 2,000 killed by the

The capture of Acre was attended by important results. The Egyptian garrisons in Caiffa and Jaffa immediately evacuated those places, and endeavoured to force for themselves a passage through Palestine into Egypt. They were, however, attacked by the Mutualis and Naplous insurgents, and the few who escaped retreated to Acre, and surrendered themselves prisoners of war. The army of Ibrahim Pasha, which, in the beginning of September, had amounted to 75,000 men, had dwindled down to 20,000, concentrated chiefly in the plain of Balbec. The Syrian tribes, which had hitherto been in the interest of the pasha of Egypt, declared in favour of the sultan; and, on the 19th of November, the Turkish seraskier was officially informed that the garrison and inhabitants of Jerusalem had returned to their allegiance to the Porte.

Soon after the fall of St. Jean d'Acre, commodore Napier sailed to Alexandria, and there made a convention with the pasha, in which the latter engaged to order Ibrahim Pasha forthwith to evacuate Syria, and to restore the Ottoman fleet, so soon as he received official notification that the Sublime Porte granted him the hereditary government of Egypt; and commodore Napier, on his part, undertook that hostilities should be suspended against Alexandria, or any other part of Egypt, and that the Egyptian army under Ibrahim should have an unmolested passage through Syria into Egypt. But fresh difficulties soon intervened. The Porte refused to annul the deposition of Mehemet Ali, and admiral Stopford declined to ratify the Convention, on the ground that commodore Napier had exceeded his powers. The subsequent course of events, however, will more properly find a place in our narrative of the ensuing year.

Belgium.—In the month of April of this year the ministry tendered their resignations to the king, which he accepted, and soon after reconstructed his cabinet as follows:—

M. Lebeau, Minister of Foreign Affairs.
M. C. Rogier, Interior.
M. Mercier, Public Works.
General Razen, War.
Mr. Leidtz, Justice.
M. Damon Dumortier, Finance.

On the 10th of November the session of the Belgian chambers was opened by his majesty in person, who delivered a speech from the throne, of which the principal topics were the following:—

"Gentlemen, — My relations with the different powers continue to be satisfactory. The circumstances which have occurred to threaten infringement of the harmony existing among the great states of Europe make me feel more sensibly the value of that good intelligence.

"The position of Belgium is determined by treaties, and perpetual neutrality has been solemnly assured to the territory. My government has neglected no opportunity for making known the

explosion of the magazine, and 300 on the ramparts; wounded unknown; 3,000 prisoners.

The Booty.—On the walls of Acre, 121 mounted guns, and 42 not mounted; 20 mortars. In store and ready, 97 brass-field pieces and 97 mortars. Arms, ammunition, shot, shells, stores of all kinds, military chest, hospital stores, specie, supposed to be 5,000*l*.

importance it attaches to that guarantee. We experience on every hand, with satisfaction I declare it, nothing but sentiments of cordiality and respect for the principle inscribed in our public law.

"Neutrality is the true basis of our policy. Of this we cannot too strongly feel the conviction: to maintain it sincerely, faithfully, and firmly, ought to be our constant object.

"The negotiations to which the origin of the treaty with the kingdom of the Netherlands gives rise, are prosecuted with all the activity which comports with the examination of numerous and delicate questions. The spirit of concord and conciliation, of which the two states have recently had the opportunity of giving a fresh testimony, will continue, I hope, to exercise a favourable influence on the arrangements which remain to be concluded.

"Treaties of navigation and commerce, which will be presented for your sanction, have recently been concluded with the United States of America, with Greec , and with the Ottoman Porte.

"Arrangements for navigation have also been agreed upon with the Holy See, Spain, and the regency of Tunis; they will be communicated to you.

"The labours of roads and bridges are actively carried on. The national undertaking of railroads is the object of every attention on the part of the government. New sections will soon be ready for communication, and the time is not far distant when Belgic lines, joining the lines of Germany and France, will multiply and facilitate our relations with those two great countries.

"If the country has signalized herself by the development of her material interests, you have also had evidence of her progress in intellectual labours. The fine arts in particular have shed a lustre. I call your attention to the necessity of completing the organization of public instruction. A patriotic spirit of union and conciliation will, I doubt not, preside at the examination and the solution of the questions connected with this subject.

"Justice and the army, those two powerful guarantees of order and security, also command all our interest.

"The army always shows itself deserving of my solicitude, by its discipline, its instruction, and its devotedness to the country. While preserving for it an organization which may satisfy present wants and serve as a basis for future eventualities, I have submitted its administration to reductions compatible with acquired rights, with the necessities of the service, and the safety of the state.

"One of the first guarantees of our independence consists in a good military organization. To you I recommend this great Belgian interest. There is none more important for the country.

"Gentlemen, all my thoughts have for their object the consolidation of our nationality; my acts tend to make it better appreciated abroad, and better loved at home. You have taken a great part in this twofold task. You will continue to labour with me for the happiness of the country and the fulfilment of the duties which she imposes. May a lively national feeling never cease to preside at our common efforts; it is the surest guide for passing successfully through difficulties, and for rendering periods of

tranquillity and security benignant and prosperous."

Holland.—This year was signalised by the abdication of William I. king of the Netherlands, who, in the month of October, voluntarily laid down the crown, and was succeeded by his eldest son, the prince of Orange, who ascended the throne by the title of William II. This step seems to have been long contemplated by the late monarch, and the real cause, no doubt, was his singular and romantic attachment to the countess d'Oultremont, a Roman Catholic lady. The king had wished to marry her before, and make her his queen, but the opposition to this was so violent on the part of his own family, and the match so distasteful to the nation, that he was compelled to submit to their wishes; and as it was only in a private station that he could gratify his inclination, he determined to resign the crown to his son. At the time when this took place, the king was in his 68th, and the prince of Orange (now William II), in his 49th year. The reasons, however, which were assigned in the royal proclamation of the 7th of October, in which the king announced his abdication, had nothing to do with the softer sentiments which really influenced him. We extract a few paragraphs from this curious document.

"The anxieties and difficulties of the high administration have weighed heavy upon us. We feel this daily more and more, in consequence of the increase of our years, and the perception of the duty imposed on us, henceforth to follow in the conduct of the affairs of the kingdom some other rules than those which before the modifications and additions recently introduced into the constitution were by it established and prescribed.

"By our proclamation of the 4th of September last, we gave full confirmation to these changes and supplements, and their operation is now about to commence.

"After the most serious reflection, we have considered this the most fitting period for carrying into execution our long-contemplated purpose of passing the remaining days which God may please to grant us in repose and freedom from the cares of government, under the grateful recollection of all the benefits that His kindness and wisdom have conferred upon us.

"A firm, vigorous, manly, and more youthful hand, free from the weight of old age, and unembarrassed by antecedent recollections, will hereafter be required for the administration of the kingdom and the promotion of its happiness and welfare, and under our full impression and conviction that the burden of the government would henceforth oppress us, and incapacitate us during the remaining years of our life from devoting due and vigilant attention to the interests of our beloved subjects, we have, after mature deliberation, out of our own entire free will, this day resolved to terminate irrevocably our long reign, and to transfer our royal, grand ducal, and ducal authority to our beloved son, the prince of Orange, who is the lawful inheritor of our royal, grand ducal, and ducal crowns.

"We thank our beloved subjects for the multiplied proofs of confidence and attachment which we have, during our reign, in the fullest measure experienced on their part, and we are convinced that they will receive with love

and respect their new king, to whom the country is already so greatly indebted, and who, with a heart profoundly moved, but with manly courage, in humble dependence on the aid and support of God Almighty, has accepted from our hands the crowns of the Netherlands, Luxemburg, and Limburg, to be from this day forward, possessed by him and his legitimate successors, in consequence of the solemn act of our voluntary resignation and transfer, which is, through our care, deposited in the archives of the kingdom and the grand duchy, there to be laid up and preserved.

The same day appeared a proclamation by the new king, headed as follows:—"We, William II., by the grace of God, king of the Netherlands, prince of Orange Nassau, grand duke of Luxemburg," &c., in which he announced the principles by which he intended to be guided in assuming the reins of government.

"Impressed with the importance of the duties now incumbent on me, I enter upon the government with a firm resolution to neglect nothing, that with the Divine blessing, may promote the happiness of the people, and the glory of the kingdom.

"In the career on which I enter, the fundamental law, that sheet-anchor of the liberty and happiness of the Netherlands, shall be my constant guide, as I shall confirm by a solemn oath on my inauguration in the capital.

"But that I may attain this great object, the promotion of the welfare, and the prosperity of the country and the people, I shall need the confidence, the love, and the fidelity of my subjects; may I enjoy them to the same extent as my revered and beloved father, then the king and people, strong by union, and trusting in the assistance of the Most High, may look with confidence to the future.

"Such, my beloved countrymen and subjects, are my wishes and my expectations at this moment, which is so solemn and important to us all. My actions shall, with God's help, confirm my words, and as it has been vouchsafed to me to contend with the sword for the independence of the Netherlands, I will henceforth devote to it all my faculties."

Soon after this event the ex-king was privately married to the countess d'Oultremont.

HANOVER.—On the 13th of April the king received, in a solemn audience, a deputation of the assembly of the estates of the kingdom, who presented an address expressing their gratitude to his majesty for having presented to the estates the draught of a constitution in which most of the enactments which had been formerly asked by the estates, were adopted. The king returned the following answer to the address:

"I thank you for the address which you have presented to me. This address is a real comfort to me, that the estates will endeavour to attain the object to which the wishes of all good Hanoverians are directed. I am convinced by your assurance that you will lose no time, and will spare no pains, to complete this work. I can with truth assure you that it does not contain a chapter, a paragraph, or a sentence which has not been carefully considered and discussed. You must know that I am not perfectly master of the German language, therefore I must closely examine and comprehend every-

thing, that I may be able to sign my name to it. You know that I am a man of my word—what I say I promise to keep. I can assure you I have but one object—the happiness and prosperity of the country, and I never had any other. You know the fidelity of the Hanoverian. I have always placed the greatest confidence in the country. Unhappily some bad persons are everywhere met, but the mass is good and honest. I feel as if a stone is taken from myheart by hearing what you say to me. I am now certain that we shall obtain our object."

Prussia.—On the 7th of June, Frederick William III., king of Prussia, expired at Berlin, and was succeeded by his son, Frederick William IV., the present monarch. On the 17th of the same month the latter communicated to his subjects two documents, both in the handwriting of his deceased father, and which had been placed in his hands by the late king on the day of his death. The one was headed "my last will," and the other commenced with the words "On you my dear Frederick, the burden of the government now comes" They were both dated 1st December, 1827. The "will" breathes the spirit of the most affectionate regard for his family, and alludes to the death of his first wife (the beautiful and gifted Louisa Augusta, princess of Mecklenburg Strelitz, so harshly treated by Napoleon after the battle of Jena), who departed in 1810, in the following terms. "By the same decree of God, I have had to undergo heavy and hard trials, as well as in what personally concerned me, especially when, seventeen years ago, he deprived me of that which was the dearest to me, as by the events which so heavily afflicted my dear country. But, on the other hand, God (eternal thanks to him for it!) has permitted me to live to witness glorious and happy events. Among the first, I reckon, above all, the struggles gloriously endured in 1813, 1814, and 1815, to which the country owes its restoration." Amongst the latter, the good old king considers the attachment and prosperity of his children, and the affectionate love of his second wife, given him by Providence in his "fifth decennium."

In the accompanying paper, addressed to his son, were general maxims of advice as to the principles on, which he should endeavour to govern his country. He thus speaks from his grave. "Your principles and feelings are a security to me that you will be a father to your subjects. Beware, however, of the love of innovation, now so general; beware of impracticable theories, so many of which are now in vogue; but, at the same time, beware of an almost equally fatal, obstinate predilection for what is old; for it is only by avoiding these two shoals that really useful changes proceed. The army is now in a remarkably good condition, since its re-organization it has fulfilled my expectations; as in war, so also in peace. May it never lose sight of its high destination, but may the country likewise never forget what it owes to it. Do not neglect to provide for, as far as lies in your power, concord among all the European powers; but, above all, may Prussia, Russia, and Austria, never separate from each other. Their union is to be regarded as the keystone of the great European alliance."

On publishing these two documents, the new king says, in his official communication of them to the minister of state, that he is resolved, with the help of God, to walk in his father's ways. "Let my people pray with me for the preservation of the blessings of peace, that precious jewel which he gained for us by the sweat of his brow, and cherished with truly parental care. This I know, should that jewel ever be in danger, which God forbid, *my* people will rise up, like one man, at *my* call, as *his* people did at *his* call."

CHAPTER XII.

SPAIN.—*Opening of the Cortes by the Queen Regent—Royal Speech—Tumultuous scene in the Chambers—Interference of the Military—Madrid declared in a state of Siege—Suppression of the disorders—Election of M. Isturitz as President of the Chamber—Address voted after discussion—Resignation of Ministers of Marine, Interior and War—Construction of new Ministry—Mr. Aston new Ambassador from England—Successes of the Queen's troops against the Carlists in the North—Balmaseda and Cabrera cross the frontier and enter France—Carlist leaders taken prisoners and shot—The Queen Regent and her Daughter visit Barcelona—Disturbances break out there, their cause—Views of Espartero—Change of Ministry—New Cabinet—Municipality Bill receives the Royal Assent, and Espartero sends in his resignation—State of public feeling on the question of the Ayuntamientos—Proposals made to the Queen Regent by her Ministry She rejects them, and they resign—Another Cabinet is constructed—Dissolution of the Cortes—Fresh resignations of Ministers—Serious Insurrection at Madrid—Formation of a self-constituted Junta at Madrid—The Queen Regent attempts to form another Cabinet and fails—Conduct of the Madrid Junta—State of parties in Spain—Espartero forms a new Ministry—Question of a divided Regency—The Queen Regent dissents from the views of Ministers, and formally abdicates the Regency—Manifesto by Espartero—Queen Christina retires into France—Conduct of the new Regency—Queen Christina issues a manifesto from Marseilles—Counter-manifesto by the Provisional Regency—Arrival and reception of the Queen-mother in Paris—Question of the navigation of the Douro.* PORTUGAL—*Opening of the Cortes - Royal Speech—Dissolution of Cortes—Revolutionary attempts and mutiny of Troops of the line at Castello Branco and the fortress of Marvao—Manifesto of the Insurgent Chiefs—Proclamation by the Queen Donna Maria—Colonel Miguel A. da Souza is shot by his own soldiers and the mutiny ceases—The disaffected officers retire into Spain—Accouchement of the Queen—Question of British claims to compensation for losses sustained during the Portuguese civil war.* NAPLES—*History of the Sulphur monopoly—Remonstrance of British Government—Duplicity of the Court of Naples—Arrival of Mr. Temple, the British Ambassador—Resignation and exile of Prince Cassaro, the Minister for Foreign Affairs—Legal opinions upon the question of the Sulphur contract or Monopoly—Neapolitan Vessels captured by British ships of War—Mediation of France for the settlement of the quarrel—Abortive attempt at revolution in Sicily.*

THE Spanish Cortes were opened on the 18th of February, and the queen regent Christina seated beside her daughter, read from the throne the speech which was presented to her by the president of the council. It was a long and not very important document. It commenced by an assurance that the relations between Spain and foreign powers were on the most satisfactory footing. The king of the Low countries had recognized the rights of Isabel II. "In the Peninsula," to give the words of the speech, "the greatest part of the provinces taste the sweets of peace, and reap abundantly and with public expressions of gratitude the fruits of the memorable treaty of Bergara.*

"The greatest portion of our military forces, now concentrated in Lower Arragon, is preparing for new triumphs, which I confidently expect from their valour and discipline, as well as from the intrepidity of their general-in-chief. In the meanwhile, the provinces of Gallicia, Toledo, and Ciudad Real are pacified, and if, to my great regret, others do not enjoy the same blessing, my government has devised the measures necessary for the attainment of that so anxiously desired result.

"After a disastrous war of seven years, the finances are not in so prosperous a condition as might be wished. We still possess, it is true, immense resources, sufficient to retrieve the credit of the nation, and to leave unimpaired its good faith, which never belied itself.

"The great work of pacification being thus far advanced, it is indispensable to initiate the nation in the knowledge of the advantages of the constitutional system, by means of laws, which being in perfect harmony with the constitution of the state, will give force and energy to the government, as well as pledges and guarantees for the preservation of order and public tranquillity.

"With this important view the government intends submitting to you various projects of law, of which the urgency and gravity are generally admitted. Such are the laws which will place the provincial deputations and municipalities in accord with the tenour and spirit of the constitution in vigour; that necessary to correct the defects which experience has pointed out in the electoral law: that which, without curtailing in the slightest manner the liberty of the press, will oppose a barrier to its abuses; that which has for its object to guarantee both the security and dignity of religion and the maintenance of the clergy, without overlooking the sad position of the secularized nuns and friars; that for the organization of the council of state, in order that it may serve as a beacon and guide to the crown; and, finally, the legislative measures required for the administration and the national navy, ever worthy of the liveliest solicitude, and other objects of equal importance."

As soon as the session was opened for the commencement of business, a scene of confusion and violence followed, which led to military interference. The party of the Exaltados, who constituted the opposition, found that they were much weaker in the new Cortes than either they or the ministerialists had anticipated. They resorted, therefore, to the same plan as that adopted by the Jacobins in

* See vol. 81, p. 394.

France at the beginning of the French Revolution, and filled the tribunes or galleries with partizans who by their gestures and language sought to intimidate ministers. During the discussion of a question respecting the election for Cordova, on the 23d of February, while M. Calderon Collantes (one of the ministers) was speaking, he was interrupted by shouts and hisses from the galleries, whence a cry arose of "Down with the deputies!" "the constitution for ever!" The president attempted to maintain order, but could not succeed, and the military in consequence was summoned in, and the galleries were cleared of the crowd of turbulent demagogues, many of whom were immediately arrested. Some disturbances afterwards took place in the streets, which continued until the mob was charged by a squadron of lancers, when some lives were lost. Madrid was declared to be in a state of siege, and on the 26th Don Diego Entrena was by a royal decree appointed political chief of the capital in the place of Don Jose Maria Puig. The sitting of the Cortes which was for some days suspended, recommenced on the 29th of February, but "the state of siege" still continued for some time longer. The best proof, however, that no changes of any consequence were apprehended was, that the funds rose during the *émeute*.

The verification of the elections of the different members of the cortes occupied a long time, and gave rise to some very stormy debates; there were three candidates proposed for the offices of president—M. Isturitz, M. Mon, and M. Martinez de la Rosa. M. Isturitz, however, was elected by a large majority, and the other members of the bureau were chosen from among the same party. This happened in the middle of March, and immediately afterwards the "state of siege" was raised in Madrid. The *ensemble* of the address in answer to the royal speech was adopted, although almost every point was disputed by the opposition. When the paragraph alluding to the "state of siege" was under discussion, M. M. Olozoga and Corsina moved by way of amendment that a clause should be introduced declaring the opinion of the chamber, that for the future no such measure as the declaring the capital in a state of siege could be legally adopted. This, however, was rejected by a majority of 98 to 39, and on the 1st of April the address was voted by the chamber.

On the 7th of April M. Nemtes de Oca, minister of marine, M. Calderon Collantes, minister of the interior, and general Navarez, minister of war, tendered their resignations to the queen regent, on the ground as was asserted at the time that they could not assent to the multitude of promotions and favours demanded by Espartero for officers of his army. Their resignations were accepted, and this opportunity was taken of reorganizing the administration which was constructed as follows:—

Senor Perez de Castro, President of the Council, and Minister of Foreign Affairs.

Senor Armendariz, Minister of the Interior.

Senor Arrazola, Minister of Justice.

Senor Santillan, Minister of Finance.

Senor Sotelo, Minister of Marine.

Señor Nozagaray, Minister of War.

It was understood, however, that the two last were only temporarily appointed until general Espartero had the vacancies filled up according to his own wishes. On the 8th Mr. Aston, the new ambassador from England to the court of Madrid delivered his credentials to the queen regent.

In the meantime the war agasnst the Carlists in the north of Spain was vigorously prosecuted under the auspices of general Espartero and general O'Donnell, and Segura, Castellote, Villarluengo, Pennaroga, and other places successively fell into the hands of the Christinos. Cabrera, the Carlist chief was attacked with illness, and it was rumoured that he had been poisoned. It was obvious that his cause was desperate, and the only chance of safety seemed to be in taking refuge in the territory of France, to which step he was at last reduced, and on the night of the 6th of July he crossed the eastern Pyrenees with a body of 5000 men, but was immediately arrested by the French authorities when he entered their soil. Previously to this, Balmaseda, another Carlist chief, had on the 27th of June sought asylum in France with the shattered remnants of his troops. About the same time the governor of Tarragona having defeated the Carlist leader Borso, ordered him to be shot with twenty-one soldiers, and the Carlist colonel Riva was also taken prisoner and shot.

On the 1st of July, a resolution proposed in the Cortes by Senor Olano, "that the Basque provinces and Navarre had faithfully performed the promises made at Bergara" was passed unanimously.

Early in July, the queen regent, accompanied by her royal daughter, set out from Madrid for Barcelona, where the illustrious pair were received with rejoicings and displays of loyalty on the most magnificent scale. In a few days, however, the scene changed, and the queen regent was insulted by the populace as she rode through the streets in her carriage. The national guard was called out, and a conflict took place between them and the mob. At last the disturbance became so serious, that Espartero led the troops of the line against the insurgents and put them to flight. Shortly afterwards he issued a proclamation in his own name, declaring Barcelona to be in a state of siege, which continued until the 26th of August. The chief cause of the unpopularity of the queen regent was her determination to have a bill relating to the Ayuntamientos (or municipality bill) passed, which would place in the hands of the crown the chief municipal appointments, and deprive the people of control over the civic functionaries in the respective towns. Espartero was known to espouse the side of the corporations, which was undoubtedly the popular cause, and a coolness in consequence sprung up between him and queen Christina, which in a short time terminated in an open rupture. The *émeute* at Barcelona and the question of the Ayuntamientos, led to a change of ministry, and on the 20th of June a new cabinet was formed, of which Don Antonio Gonzales was president and minister of justice. Don Charles de Onis, minister of foreign affairs; M. Vincent Sancho, interior; M. Vallentin Ferras, war; M. Feraz, finance; and M. Armero, marine.

On the 15th, the queen gave at Barcelona her assent to the muni-

cipality bill, and the next day general Espartero sent in his resignation as general of the forces. He accused the queen regent of having deceived him, and even went so far, it is said, as to charge his royal mistress with having broken her word *(falto a su palabra)*. At this time great agitation prevailed in the different municipal towns, whose privileges of popular elections were much curtailed by the new bill, and very violent manifestations of public opinion took place against it. No further disturbances, however, took place at Barcelona, but the opposition on the part of the duke of Victoria (Espartero) and the state of popular feeling as to the carrying into effect the municipalities bill embarrassed the new ministry so much, that they felt themselves unable to conduct the government of the country. The consequence was, that after several conferences between Espartero and the cabinet, M. Gonzales the president of the council, on the 9th of August presented to the queen regent a plan for her approval, which might have the effect of allaying the excitement and reconciling the differences between her and the duke of Victoria. This plan consisted of three points:—1. The prorogation and dissolution of the cortes. 2. The not carrying into execution the municipalities bill. 3. The "*reparacion des agrarios*," or complete reorganization of the public functionaries. Queen Christina, however, would not consent to these proposals. She refused to dissolve the cortes, but offered to consent to the abrogation of that clause in the municipalities bill which gave the crown the power of appointing the Alcades, and which clause was supposed to be the most odious in the bill. This, however, was not thought sufficient by the ministers, and they accordingly resigned office as a body on the 10th of August. M. M. Ferraz, however, and M. Armero, consented at the urgent request of her majesty to retain office, and in two or three days a new cabinet was constructed, consisting of the following combinations. M. Valentine Ferraz, president of the council and minister of war; M. Onis, foreign affairs; M. Jose Ferraz, finance; M. Cabella, interior; M. Silvella, justice; and M. Armero, marine. Immediately after the formation of this new ministry the cortes were dissolved, and were not intended to be convoked again before the 1st of December.

It is tedious and uninteresting to pursue all the details of political intrigue and change which the obstinate conduct of the queen regent in determining to carry the municipality bill into execution occasioned. It will be sufficient briefly to state, that in consequence of this, M. M. Onis and Cabello who were entirely in the interest of Espartero resigned office in a few days after accepting it; and the excitement became so great, that when the queen regent reached Valencia at the latter end of August, general O'Donnell was obliged to order out the troops in order to clear the streets of rioters. At Madrid, the ebullition of popular discontent was still more serious. The municipality declared itself permanent; the national guards joined the insurrectionary movement, and the troops of the line were so disaffected that their officers did not dare to employ them in suppressing the *émeute*. Indeed, two, infantry regiments and a

squadron of cavalry, which wavered at first, went over and joined the national guard; thus openly violating their oath of allegiance to their sovereign. Early in September, a junta or provisional government constituted itself in Madrid, and every thing betokened the rapid approach of a revolution. The queen regent was at last obliged to yield, and broke up the ministry which it will be remembered had taken office, prepared to insist on the carrying into operation of the municipalities bill. She now drew up another list of names more in accordance with the views of Espartero, whose influence she found herself too weak any longer to withstand. At the head of these stood M. Sancho as president of the council. But the letters containing these appointments when conveyed to Madrid, fell into the hands of the junta there, who summoned the ministers elect into their presence, and desired them to break open and read aloud the official communications they had received. The result was, that they all declined to accept the proposed appointments, and the junta thereupon immediately issued a proclamation, stating that they had assumed and would not lay down their arms until the fulfilment of the wishes of the nation with regard to the municipalities and other matters were sufficiently guaranteed. The queen regent now had no other resource than to submit to Espartero, to whom accordingly, at the latter end of September, she gave full powers to form a cabinet, and endeavour to bring about a reconciliation on his own terms between the crown and its insurgent subjects. So strong was the feeling upon the subject of the municipalities bill, that on the 17th of September the junta published an order for the arrest of the five ministers of the late cabinet, who had advised that the bill in question should be carried into operation. At this period the exaltado or liberal party in Spain, was divided into three sections; the first of which was the most moderate, and advocated those measures of constitutional reform which were specified in the manifesto first addressed by the Madrid junta to the queen; the second required either the deposition of the queen regent, or at least a division of her authority, and the third were pure republicans.

Amongst these jarring elements of what may be called his own party, Espartero had now to steer. He set out for Madrid, and was received there with the greatest joy and enthusiasm. The soldier-minister was hailed as a deliverer by the populace, and he succeeded in forming a new ministry which seemed likely to give general satisfaction. It was composed of the following members.

General Espartero (duke of Victoria), President of the Council.

Señor Joquim Ferrer, Vice President of the Council.

Señor Chacun, Minister at War.

Señor Joquin Frias, Minister of Marine.

Señor Gomez Bercena, Minister of Justice.

Señor de Gomboa, Minister of Finance.

Señor Cortina, Minister of the Interior.

In this list the influence of the Madrid Junta was perceptible, both in its general character and in the appointment of Señor J. Ferrer as vice-president of the council, he being at the time president of the junta. The great difficulty now

in the way was the determination of queen Christina not to share a divided regeucy. On other points she was ready to yield compliance; but to the plan proposed of associating four others with her in the supreme authority she was resolutely opposed. She declared that she would rather abdicate her functions as regent altogether, than submit to any such measure; and after an interview with Espartero and the new ministers at Valencia, she announced to them that such was her immediate intention. They attempted to dissuade her from such an extreme step; but in vain, on the 11th of October, a royal ordinance was published, dissolving the Cortes, and the next day the queen regent handed to Sēnor Ferrer her formal act of abdication. It is dated Valencia, 12th October 1840, and is addressed to the Cortes We subjoin it entire as it is important, on account of subsequent events, to show that she acted voluntarily in the matter; and was not as was afterwards represented by her partisans, driven to it by compulsion.*

At the same time Espartero and his colleagues published a manifesto, addressed to the Spanish nation, in which they justified their conduct, and enumerated the following proposals which they had made to her majesty, and which had occasioned the fatal rupture between her and them.

"We proposed that her majesty should publish a manifesto, in which, whilst she threw the responsibility of past events upon her ministers, she should promise that for the future the constitution should be religiously respected, and that in the new era, which was commencing for Spain, the natural consequences of such a change should be allowed to be developed, without being paralyzed by sinister influence either at home or abroad. Such was our first advice, and the essential condition of our accepting office: and, to avoid the natural dislike her majesty might feel to suppose that the ministers in whom she had already reposed confidence had been guilty of cri-

* To the Cortes.—"The present situation of the nation, and the precarious state of my health, have determined me to renounce the regency of the kingdom, which was intrusted to me during the minority of my illustrious daughter Isabella II. by the constituent cortes of the nation, assembled in 1826, notwithstanding the pressing solicitations of my ministers, with that loyalty and patriotism which distinguish them, that I would retain the regency at least until the Cortes are assembled, because they considered it might be useful to the country for me to do; but not having it in my power to acquiesce in any of the measures which my ministers advise me are necessary to calm public opinion and to terminate the present situation of affairs, it is absolutely impossible for me to continue to fulfil those functions, and I think I am acting for the benefit of the nation by renouncing them. I trust that the Cortes will appoint for those eminent functions persons capable of rendering the people as happy as their virtues entitle them to be. I confide my august daughter to the nation. The ministers who, in conformity with the spirit of the constitution, are to govern until the meeting of the Cortes, have given me too many proofs of their devotedness to make me hesitate to trust so sacred a deposit to them. Wishing that this may receive its full and desired effect, I sign the present act of abdication in the presence of the authorities and corporations of this city, and I hand it over to the president of the council of ministers to present it at the proper period to the Cortes.

"Maria Christina.

"Valencia, the 12th of Oct ber, 1840."

minal acts, we attributed, in the draught of her manifesto, that we had the honour to present the sad consequences which the nation had to deplore to ministerial errors. We advised her majesty to dissolve the present Cortes, and to convoke new chambers after the election of the provincial deputations, should it be even necessary to incur the responsibility of assembling the Cortes before the lapse of the period prescribed by the constitution, and the suspension of the municipality law until it should be revised, and we were warranted in this advice in consequence of the illegality of not having allowed the law of the provincial deputations to be first passed. We wished that the acts of the juntas which were not in direct violation of the principles of justice should be ratified; that the juntas of the capitals should be maintained until the assembling of the Cortes, giving them only the power of juntas auxiliary to the government, adjourning to the approaching session the consideration of certain political questions, and, amongst others, that of the regency, giving her majesty an assurance that in the interim a change might be produced in the public opinion, if, before the meeting of the chambers, such guarantees were given to the nation as were required from the co-regents."

Immediately after this Queen Christina set out from Spain, and travelled by Perpignan, to Marseilles, with the professed intention of proceeding to Naples. On the road she passed through Montpelier, where she saw, from the window of her carriage, Cabrera, the fugitive Carlist chief, who, a short time before, had been driven across the frontier by her arms, under the conduct of Espartero.

The provisional regency, which was now appointed, commenced by publishing a decree which postponed the meeting of the Cortes until the 19th of March in the ensuing year, and also issued a decree dissolving the minor juntas in the different provinces, and limiting the power of juntas of capitals. General Espartero, at the same time, published an address to the army, explaining and justifying his conduct, and promising to return to the troops when the affairs of government were arranged. When the provisional regency, and the infant queen Isabel II., arrived from Valencia at Madrid, the junta of the metropolis dissolved itself in the beginning of November, and the whole functions of government were centered in the regency, which acted with vigour and firmness in the discharge of its important duties.

From Marseilles the ex-queen regent issued a manifesto to the Spanish nation, dated 8th November, in which she, at great length, detailed the history of her conduct since the day when she left her native country to unite her destiny with the king of Spain. After justifying her actions, both as queen and regent, she proceeded to state the reasons why she had laid down the sceptre of power.

"At a moment when I was served by ministers who had the support of the Cortes, I accepted their resignation, which was imperiously demanded by a revolt at Barcelona. From this moment commenced a crisis which ended only with the renunciation of power, which I signed at Valencia. During this deplorable period the municipality of Madrid had re-

belled against my authority, and the municipalities of other large towns had followed the example. They required that I should condemn the conduct of ministers who had served me faithfully, and recognised rebellion as lawful; that I should annul, or at least suspend the law on the municipalities, after it had been voted by the Cortes, and that I should compromise the unity of the regency.

"I could not accept the first of these conditions without degrading myself in my own eyes; I could not accede to the second without acknowledging the right of force, which is not recognised by either divine or human laws, and the existence of which is incompatible with our constitution as with all constitutions; I could not accept the third without violating the constitution, which considers all that the Cortes have voted, and the supreme head of the state has sanctioned as law, and places beyond royal power a law which it has once sanctioned; I could not accept the fourth without, at the same time, accepting my own shame, without pronouncing my self-condemnation, and enervating the power which the king had confided to me, which the Cortes had since confirmed, and which had been preserved by me as a sacred deposit, which I had sworn not to deliver into the hands of the factions."

To this manifesto the provisional regency replied, by an equally long address on their part, to the Spanish nation, in which they showed the expediency and justice of those demands which the queen regent had refused to grant, and professed to lament the loss of a princess, from whom they might have expected much, if she had kept herself superior to the influence of party. After stating and defending their own views and objects, they added a somewhat convincing argument in the following declaration:—

"The constitution shall be religiously adhered to by all; public order shall not be violated; and if any person should attempt to do so, there are ready 200,000 veteran troops — the national guards — the whole nation, in short—prepared to punish and repel the attempt. All the necessary precautions you could desire are already taken."

Queen Christina now abandoned, if she ever seriously intended, her journey to Naples, and having received sufficient intimation as to the nature of the reception she might expect to meet in Paris, she set out for the French capital, where shearrived at the latter end of November. An immense multitude was collected on the occasion, and she was met outside the city by Louis Philippe in his carriage, and received with military honours. When the royal party reached the Palais Royal, where apartments had been provided for her by the king, Louis Philippe alighted from his carriage, and conducted her to them. But the subsequent relations between the queen-mother (as the ex-queen regent was now called) and the court of the Tuilleries, and the events which were supposed to flow from them, will occupy a portion of our succeeding volume. The quarrel also that broke out at end of the year between Spain and Portugal, owing to the question of the navigation of the Douro, and in which England was appealed to by both nations, will be more conveniently discussed in our con-

tinuation of the history of Spanish affairs.

PORTUGAL.—The Cortes were opened on the 2nd of January, by the queen in person. The royal speech expressed a regret that no treaty had been concluded with England for the "repression of the barbarous traffic in slaves;" and complained of the act which had been passed last year by the British parliament,* authorising the capture of Portuguese vessels suspected of being employed in the slave-trade. While this slave-trade question was under discussion in the Cortes, the queen suddenly dissolved them on the 25th of February, and the new Cortes were summoned to meet on the 25th of May. On this day they were opened, and there was another speech from the throne, the contents of which were vague and unimportant. At the latter end of August a revolutionary spirit began to shew itself amongst various classes in Portugal, and assumed a most alarming feature, by spreading to the troops in garrison, at Abrantes, a telegraphic dispatch from that place, on the 28th of August, announced to the secretary at war, that the 6th regiment of the line, stationed at Castello Branco, had broken out into open meeting, and when orders were immediately given to some other troops to hold themselves in readiness to march; the officers of these last refused to obey, on the plea, that the privates could not be depended upon. Lieutenant-colonel M. A. da Sousa, the commandant of the 6th regiment, at Castello Branco, and lieutenant-colonel Justino Teixeira, military governor of the fortress of Marvao, issued a joint address to the Portuguese soldiers and citizens, declaring that it was the duty of all true Portuguese now to raise the cry of "*Viva a Rainha a Senhora Donna Maria II*, the constitution of 1838, and down with the ministry." This revolutionary manifesto stated that the ministry had sold themselves to foreigners, as had been demonstrated by the Portuguese embassies to England, and called upon all to arm themselves and drive away the "traitorous ministers" by force, as their Spanish neighbours had recently done. The queen's government, however, acted with vigour. She herself immediately reviewed in the square at Lisbon, the troops which were without delay to quit the capital for Abrantes, and issued a proclamation to her army dated "Palace of Necessidades, August 30," in which she called upon them as the former soldiers of her father, to follow her, who was the daughter of their general, and resist the attempts of the common enemies of their country,—whom the proclamation thus described, "know them well; their end is tyranny, which they wish to exercise in my name, usurping my rights, and rob me of the power which the constitution gives me, in order that I may not be able to protect you, afterwards to destroy you, and to the end that I may remain a slave in their hands, obliged to behold my people oppressed and destroyed, and sign decrees of proscription and death, with which they already threaten my most faithful defenders, who are also yours, and of the liberty of the nation."

This formidable insurrection lasted for three weeks, when it was terminated by the mutineers

* See ante vol. lxxxi. pp. 242, 255, and see APPENDIX.

themselves, in the following manner. On the 12th of September, the privates of the insurgent 6th battalion at Castello Branco, having in vain demanded from their colonel Miguel a da Souza, the colours of their regiment, in order that they might go and present them to general Antonio da Costa e Silva, who was commandant of the forces marching against them; and hearing that he was determined to go into Spain, shot him at the mayor's door, and then voluntarily returned to their allegiance and duty. The officers who had taken part in the revolt, with the exception of two or three, retired into Spain; and this act of the 6th regiment spreading dismay and mistrust amongst those who were disaffected, comparative tranquillity was soon restored.

On the 3rd of October, the queen Donna Maria II. gave birth to a daughter, which died soon afterwards, and the queen's life was for some time thought in danger. The chief subject of discussion in the Cortes was the claims of English subjects to compensation for the injury and loss sustained by them in Portugal, during the struggle between Don Miguel and the constitutional government; one of the committees drew up a protest against the British claims altogether.

Naples.—Unimportant as is the influence which the Neapolitan government exercises upon the general politics of Europe, a question arose in the spring of this year, between it and England, which led to hostilities on the part of the latter, and at one time threatened to involve other powers in a general quarrel. The cause of this was what was called "the sulphur monopoly." The facts of the case are shortly as follows. By a treaty concluded in 1816, between Great Britain and the kingdom of the two Sicilies, certain commercial advantages were secured to the former country, and it was stipulated that the Neapolitan government should grant to no other state mercantile privileges disadvantageous to the interests of England; the spirit of the treaty being to place the commercial intercourse between the two countries on the most favourable footing for both. In the month of June, 1838, the king of Naples granted to a company of private individuals, Taix, Ayeard, and Co., some of whom were natives of France, and others of different countries, a monopoly of all the sulphur produced and worked in Sicily. This being a most valuable article of commerce, the throwing the whole trade into the hands of a few favoured persons, was a serious injury to the mercantile community at large; and Great Britain considered the grant of the monopoly a direct infraction of the stipulations of the treaty of 1816. She accordingly remonstrated vigorously through Mr. Kennedy, the British chargé d'affaires at the court of Naples; and in July 1839, the king promised, that the monopoly should be abolished, and cease on or before the 1st of January, 1840. It however continued; and in February, of this year, a note written in energetic terms reached the British embassy at Naples, from lord Palmerston, calling on the Neapolitan government for the immediate termination of the monopoly, and full indemnity for all losses sustained by British subjects since its commencement.

The king professed to comply, and prince Cassaro, the minister for

foreign affairs, wrote an official note to Mr. Kennedy, stating, that the monopoly should be abolished, and that his Neapolitan majesty acted thus in deference to England. A few days afterwards, Mr. Temple, the British minister, who had been absent in England for some time, returned to Naples, with full powers and instructions from lord Palmerston, to insist that the sulphur monopoly should be forthwith put an end to. He notified this to the government; and after the delay of a few days, it was announced to him, that the king in council had determined not to consent to the demands of Great Britain, and did not consider the sulphur contract a violation of the treaty of 1816. Prince Cassaro, however, considering his honour pledged by the note which he had written officially to Mr. Kennedy, refused to sign the communication to Mr. Temple, and sent in his resignation to the king, who immediately accepted it and sent him into exile at Foggia, a small town, about a hundred miles from Naples. The British government immediately prepared to enforce its demands, by sending orders to admiral sir R. Stopford, who commanded the fleet in the Mediterranean, to hold himself in readiness to commence active hostilities against the Neapolitan flag. As to the right of England so to act there was some difference of opinion. The parties who were favourable to the monopoly, took the opinions of sir F. Pollock and Dr. Phillimore, who both considered it as no infraction of the treaty of 1816, on the ground that it applied equally to the subjects of the king of Naples and all foreigners without distinction. This monopoly caused such a decline in the British trade in sulphur, that although previously it was of the average value of 35,000*l.* per annum, it became after the grant to the company too small for a return to be made by the Customs. The increase in cost also was above 200 per cent. On the 17th of April, the British ships of war in the vicinity of Naples commenced hostilities, and captured a number of Neapolitan vessels; and an embargo was laid on all in the ports of Malta, that bore the Sicilian flag. At first the king made preparations to resist, but the utter hopelessness of a contest with England, induced him finally to accept the proposed mediation of France, in adjusting the quarrel, on the principle that the monopoly should be dissolved, and an indemnity given to the contractors. And early in May amicable relations between the court of Naples and the British legation recommenced.

In April of this year, an abortive attempt was made in Sicily to bring about a revolution and establish the independence of that kingdom. Prince Charles of Capua, who had for some time resided in London, was proclaimed by the malcontents as their intended constitutional king; and expectations were entertained that the sulphur monopoly quarrel would induce England to support their enterprise. No important consequences however resulted, and the incipient revolution was soon suppressed.

CHAPTER XIII.

UNITED STATES—*Commencement of Session of Congress—Political parties in America—Disputed return of six members for New Jersy—Election Committee appointed—Decision in favour of the Van Buren members—President's message—Discussion of its principal topics—Boundary question—System of Banking throughout the Union—Proposition offered as to mode of keeping and collecting the Public monies—Correspondence between Mr. Fox and Mr. Forsyth relative to the North Eastern Boundary line—Letter from the Secretary at War containing a plan for reorganizing the Militia—Second correspondence on the Boundary Question between Mr. Fox and Mr. Forsyth—New survey of the disputed territory appointed—Dissolution of Congress—Preparations for election of new President—State of public opinion—Views of Mr. Van Buren and General Harrison with regard to Banks and the Banking system—Pledges given by General Harrison—Election of the latter—Mr. Tyler elected Vice-President.* UPPER CANADA.—*Communication to House of Assembly—Terms proposed by British Government as basis of a Union between the two Provinces—Resolutions passed in favour of the Union—Clergy Reserves Bill passed—Statement of its leading provisions—Dissolution of Parliament by Governor.* MEXICO.—*Revolution in City of Mexico—Forcible release of General Norea, who raises the standard of Federalism—General Valencia quells the insurrection and the Federalists capitulate on honourable conditions.* TEXAS.—*Commercial Treaty signed between Great Britain and the Republic of the Texas.* BRAZIL.—*Emperor declared of age at Rio de Janeiro by a coup d' état—Appointment of new Ministry.*—NOVA SCOTIA.—*Resolutions in favour of Lord John Russell's colonial despatch voted by the House of Assembly—Quarrel between the Governor and the Assembly—Petition to remove the former who prorogues the Assembly.* NEW BRUNSWICK.—*Publication of despatch from Colonial Office relative to public functionaries—Resolution moved by Liberal party in House of Assembly—Amendment by the Government party—Counter amendment by the Liberals—Adoption of the first amendment by a majority of one.*

AMERICA.—Although the session of congress commenced the first week of December, 1839, the President's Message was not delivered until the 24th of that month, and it was received in England in January in the present year. It falls, therefore, appropriately under discussion in our present volume, but before we make a selection from its contents it may be useful to premise a short statement as to the result of the general election in America previously to

the assembling of congress in December last year. Perhaps our readers are aware that the terms whig and tory are not confined to the two great political parties in Great Britain. Our transatlantic brethren have adopted these appellations, but strangely enough have transposed the significations which for the last hundred years have been attached to them respectively in this country. In America the tory (or locofoco) is the liberal or democratic party in the state, the whig the conservative; not that either term is exactly equivalent to its antagonist in the political vocabulary of England; nor that these two names comprise or define the opinions of all the political parties throughout the union. Federalists, Nullifiers, and such like descriptive appellations are exclusively American, and represent varieties of opinion on questions which would have no meaning, and could not come under discussion on this side of the Atlantic, but the great and broad line of demarcation is drawn between the whig and tory (or locofoco) parties as amongst us, and the former constituted the opposition to the Van Buren administration during the struggle that took place at the last general election. The result of the contest was, that the government had a small majority, but the two parties were nearly equally balanced in the house of representatives. In the state of New Jersey there had been a closely contested election, and the Van Buren party had polled the greatest number of votes, but the governor of the province, on the ground that many of these votes were illegal and bad, had given the usual certificates of election to the six whig or opposition candidates. The six Van Burenites, however, claimed the right to sit as having been returned by a numerical majority, and the two parties in congress were so nearly equal, that the six New Jersey members on either side could have given a decisive majority. It was, however, determined, that while the question of the validity of the returns remained in abeyance, the house should proceed to the choice of a Speaker, excluding the votes of the New Jersey members. After several ballots which consumed two days, Mr. Hunter, member from Virginia, and of whig (or conservative) politics, was elected by a majority of six, the numbers being 119 to 113, six former supporters of the Van Buren party having gone over to the side of opposition. A committee was immediately appointed to report upon the New Jersey returns, and for many months they were engaged in investigating the question with closed doors. At length, on the 16th of July, they presented to the house their report, or rather reports, for there were two, the one drawn up and signed by five members, and the other by way of protest by four. Accompanying the report of the majority, there was a resolution affirming that the six Van Buren members had been duly elected, and this conclusion was supported by six hundred manuscript pages of evidence and testimony. A long and angry debate followed the presentation of this report, and the result was, that many of the whig members conceiving that the course which the house was adopting was unfair and unconstitutional, refused to vote at all upon the question, and a motion of Mr. Jamieson that the resolution of the majority of the

election committee be adopted was carried by a large majority—the ayes being 101, and the noes 22; so that the Van Buren administration received an accession of six votes.

We have rather anticipated the order of time in the above short narrative, because it was better to finish and dismiss it at the outset; but the first important event in congress after the election of a Speaker was the delivery of the President's Message on the 24th of December, 1839. This will be found at length in our last volume, (page 439, "Public Documents,") and to it we must refer our readers who wish to peruse it in detail. It is a very long and elaborate document, but we select here the most important and prominent topics of which it treats. Mr. Van Buren began by regretting that he could not congratulate congress on the past year having been one of unalloyed prosperity, owing to the ravages of fire and disease and serious commercial embarrassments. But he viewed with peculiar satisfaction the benefits that sprung from the steady devotion of the husbandman to his honourable pursuit. "No means," said the American president "of individual comfort is more certain, and no source of national prosperity is so sure. *Nothing can compensate a people for a dependence upon others for the bread they eat; and that cheerful abundance on which the happiness of every one so much depends is to be looked for no where with such sure reliance as in the industry of the agriculturist and the bounties of the earth.*" With foreign countries the relations of the government continued amicable. For the settlement of the north eastern boundary the proposition of Great Britain for a commission of exploration and survey was announced to have been received, and a counter-project, including a provision for the certain and final adjustment of the limits in dispute, was stated to be before the British government for its consideration. Mr. Van Buren next alluded with reference to the boundary question to the embarrassment necessarily arising out of the American constitution, by which the general government was made the organ of negociating and deciding upon the particular interests of the states on whose frontiers the boundary lines were to be traced.

With regard to the disturbances in Canada and flagitious efforts of American sympathizers as they were called, the president said, "within the provinces themselves tranquillity is restored, and on our frontier that misguided sympathy in favour of what was presumed to be a general effort on behalf of popular rights, and which in some instances misled a few of our more inexperienced citizens, has subsided into a rational conviction strongly opposed to all intermeddling with the internal affairs of our neighbours." Treaties of commerce with the king of Sardinia and the king of the Netherlands, the ratifications of which had been exchanged since the adjournment of congress would be laid before it. Although no convention for the settlement of the claims of American citizens upon Mexico had yet been ratified by the government of that country, and the president was not entirely satisfied with her conduct, yet he felt no hesitation in receiving in the most conciliating spirit the explanation offered, and also in cheerfully con-

senting to a new convention. The new government of Texas had shown its desire to cultivate friendly relations with the United States by a prompt reparation of injuries complained of in the cases of two vessels belonging to the latter power.

The financial operations of the year were stated to have been very successful; the large current expenditures had been punctually met, and the faith of the government in all its pecuniary concerns had been scrupulously maintained. The 19,000,000 of treasury notes authorized by the act of congress of 1837, and the modifications thereof with a view to the indulgence of merchants in their duty bonds, and of the deposit banks in the payment of public monies held by them had been so punctually redeemed as to leave less than the original 10,000,000 outstanding at any one time, and the whole amount unredeemed at this time fell short of 3,000,000. Mr. Van Buren said that the creation in time of peace of a debt likely to become permanent, was an evil for which there was no equivalent. The rapidity with which many of the states were apparently approaching to this condition, admonished congress of their duty in a manner too impressive to be disregarded. To make its efforts effective severe economy would be necessary. This was the surest provision for the national welfare, and at the same time the best preservative of the principles on which their institutions rested. The check lately given to importations of articles subject to duties, the derangements in the operations of internal trade, and especially the reduction gradually taking place in the tariff of duties; all tended to lessen the public receipts; indeed it was probable that the diminution resulting from the last cause alone would not fall short of $5,000,000 in the year 1842, when the final reduction of all duties to 20 per cent would take effect. The following financial statement was then made by the president in his message. Independent of the redemption of the public debt and trusts, the gross expenditure of $17,000,000 and $18,000,000 in 1834 and 1835, had by various causes swelled to $29,000,000 in 1836, and the appropriations for 1837 made previously to the 4th of March had caused the expenditure to rise to $33,000,000. Mr. Van Buren's government was able, notwithstanding the continuance of the Indian embarrassments somewhat to reduce this amount, and that for the then current year of 1839, was calculated as not likely to exceed $26,000,000. The estimates for 1840 would be found to be less than the expenditure of 1839 by more than $5,000,000.

The extent of post-roads covered by mail service on the 1st. of July last, was about 133,999 miles, and the rate of annual transportation upon them 34,496,878 miles. The number of post-offices on that day was 12,780, and on the 30th ult. 13,028. The revenue of the post-office department for the year ending with the 30th of June last, was $4,476,638, exhibiting an increase over the preceding year of $241,560. The engagements and liabilities of the department for the same period were $4,624,117. The cash in hand on the 30th ult. was about $206,701,95c, and the current income of the year varied very little from the rate of current expenditure in the department of the post-office. The attention of

congress was directed to the power assumed by territorial legislatures to authorize the issue of bonds by corporate companies on the guarantee of the territory, and also to the continued agitation of the question relative to the best mode of keeping and disbursing the public money. The want of due safeguards for its protection "imposes," said Mr. Van Buren, "on me the duty of again submitting to you the propriety of passing a law, providing for the safe keeping of the public monies, and especially to ask that its use for private purposes by any officer intrusted with it, may be declared to be a felony, punishable with penalties proportioned to the magnitude of the offence." He had heretofore assigned to congress his reasons for believing that the establishment of an independent national treasury as contemplated by the constitution was necessary to the safe action of the federal government. The president then went at considerable length into the objections that existed to allowing the public money to be invested in the different banks throughout the union, and described with well-merited severity the conduct of those institutions. "Convenience and policy are now deemed sufficient to warrant these institutions in disregarding their solemn obligations. Such conduct is not merely an injury to individual creditors, but it is a wrong to the whole community, from whose liberality they hold the most valuable privileges, whose rights they violate, whose business they derange, and the value of whose property they render unstable and insecure." New dangers to the banks were also daily disclosed from the extension of that system of extravagant credit of which they were the pillars. "Aided by the facilities afforded by the banks, mere credit has become too commonly the basis of trade. Many of the banks themselves, not content with largely stimulating this business amongst others, have usurped the business while they impair the stability of the mercantile community; they have become borrowers instead of lenders; they establish their agencies abroad; they deal largely in stocks and merchandize; they encourage the issue of state securities until the foreign market is glutted with them, and unsatisfied with the legitimate use of their own capital and the exercise of their lawful privileges they raise by large loans additional means for every variety of speculation." More than half of the president's message is occupied with a discussion on the evils of the American banking system, and the statement of the "constitutional" as well as other objections entertained by him to the establishment of a national bank, while at the same time he proposed that the public revenue should be kept in a separate and independent treasury, and collected in gold and silver.

This unsparing but well-deserved attack upon the banks had no little influence in preventing the re-election of Mr. Van Buren as president in the General Election which took place at the latter end of the present year—but if this were the only fault for which his administration had to answer, it would have, in an eminent degree, deserved well of the republic—for a more pernicious, as well as dishonest system can hardly be imagined than that which has prevailed amongst the banks of the United States. False credit—extravagant

speculation—and loose morality in all money transactions have been some of the evils engendered by them throughout America.

The Maine and New Brunswick boundary question continued this year still to keep up a feeling of irritation between England and America—and a long and recriminatory correspondence took place in the month of March, betwen Mr. Fox the English minister and Mr. Forsyth, on the subject. We give extracts at some length, since this boundary question is one of the most important of the year, as bearing upon the amicable relations between Great Britain and America—and has been, for years, an unfailing source of disquietude and perplexity to the diplomatists of the two countries. It will be seen that the chief difficulty at present arose from the anomalous character of the federal union of the different states in America—which while professing to be one nation, and acknowledging one supreme government, yet arrogate to themselves distinctive rights and privileges uncontrolled by the legislature, and independent of the executive of the union. In this case, the state of Maine chose to consider the dispute as one in which she was peculiarly, if not exclusively concerned, and as the boundary line in question was to affect the limits of her territory, she attempted to regulate, and threatened to employ force, as though she was an independent state, and the real question at issue lay between her insignificant population, and the kingdom of Great Britain. Mr. Fox opened the correspondence with Mr. Forsyth on the 13th of March, by pointing out the necessity of immediately putting a stop to the "extensive system of aggression pursued by the people of the state of Maine, within the disputed territory, to the prejudice of the rights of Great Britain," of which he had officially complained in a note addressed to the Secretary of State of the United States (Mr. Forsyth) on the 24th of last December—and which "so far from being either disproved or discontinued, or satisfactorily explained by the authorities of the state of Maine, were, on the contrary, persisted in, and publicly avowed." Mr. Fox proceeds to state that "her majesty's government claim and expect from the good faith of the government of the United States, that the people of Maine shall replace themselves in the situation in which they stood before the agreements of last year were signed—that they shall, therefore, retire from the valley of the St. John, and confine themselves to the valley of the Aroostook; that they shall occupy that valley in a temporary manner, only, for the purpose, as agreed upon, of preventing depredations; and that they shall not construct fortifications, nor make roads or permanent set.

"Until this be done by the people of the State of Maine, and so long as that people shall persist in the present system of aggression, her majesty's government will feel it their duty to make such military arrangements as may be required for the protection of her majesty's rights. And her majesty's government deem it right to declare, that if the result of the unjustifiable proceedings of the State of Maine should be collision between her majesty's troops and the people of that state, the responsibility of all the consequences that may ensue therefrom, be they what they may, will rest with the

people and government of the United States."

To this Mr. Forsyth replied in an elaborate note, in which he went at considerable length into the history of the transactions which had taken place with reference to the State of Maine. He commenced by expressing his profound regret, that Mr. Fox's note was in no other respect satisfactory than in the assurance it conveyed that a reply to the last proposition of the United States upon the subject of the boundary, might be expected in a short time. He then went on to say, that the president "looked upon all apprehensions of designs by the people of Maine to take possession of the territory as without adequate foundation; deeming it improbable that, on the eve of an amicable adjustment of the question, any portion of the American people would, without cause and without object, jeopard the success of the negotiation, and endanger the peace of the country. A troublesome, irritating, and comparatively unimportant, because subordinate subject, being thus disposed of, the president hoped that the parties would be left free at once to discuss and finally adjust the principal question. In this he has been disappointed. While the proceedings of her majesty's government at home have been attended with unlooked-for delays, its attention has been diverted from the great subject in controversy by repeated complaints, imputing to a portion of the people of the United States designs to violate the engagements of their government; designs which have never been entertained, and which Mr. Fox knows would receive no countenance from this government.

It is to be regretted that, at this late hour, as much misapprehension still exists on the side of the British government as to the object and obvious meaning of the existing arrangements respecting the disputed territory. The ill success which appears to have attendod the effort made by the undersigned to convey, through Mr. Fox, to her majesty's government, more correct impressions respecting them, calls for a recurrence to the subject, and a brief review of the correspondence which has grown out of it, may tend to remove the erroneous views which prevail, as to the manner in which the terms of the arrangements referred to have been observed.

As Mr. Fox had no authority to make any arrangement respecting the exercise of jurisdiction over the disputed territory, that between him and the undersigned, of the 27th of February, 1839, had for its object some provisional arrangement for the restoration and preservation of peace in the territory. To accomplish this object, it provided, that her majesty's officers should not seek to expel, by military force, the armed party which had been sent by Maine into the district bordering on the Restook river; and that on the other hand the government of Maine would voluntarily, and without needless delay, withdraw beyond the bounds of the disputed territory, any armed force then within them. Besides this, the arrangement had other objects—the dispersion of notorious trespassers, and the protection of public property from depredation. In case future necessity should arise for this, the separation was to be conducted by concert, jointly or separately, according to agreement between the government of Maine and New Brunswick.

In this last mentioned respect, the agreement looked to some further arrangement between Maine and New Brunswick. Through the agency of general Scott, one was agreed to, on the 23rd and 25th of March following, by which sir John Harvey bound himself not to seek, without renewed instructions to that effect from his government, to take military possession of the territory, or to repel from it by military force the armed civil posse, or the troops of Maine. On the part of Maine, it was agreed by her governor that no attempt should be made without renewed instructions from the legislature, to disturb by arms the province of New Brunswick in the possession of the Madawaska settlements, or interrupt the usual communications between them and the upper provinces.

As to possession and jurisdiction, they were to remain unchanged, each party holding, in fact, possession of the disputed territory, but each denying the right of the other to do so. With that understanding, Maine was, without unnecessary delay, to withdraw her military force, leaving only, under a land agent, a small civil posse, armed or unarmed, to protect the timber recently cut, and to prevent further depredations.

In the complaints of infractions of the agreements of the state of Maine, addressed to the undersigned, Mr. Fox has assumed two positions which are not authorized by the terms of those agreements: first, admitting the right of Maine to maintain a civil posse in the disputed territory for the purpose stated in the agreement, he does so with the restriction that the action of the posse was to be confined within certain limits; and, second, by making the advance of the Maine posse into the valley of the Upper St. John, the ground of his complaint of encroachment upon the Madawaska settlement beyond those it occupied at the date of the agreement,

The United States cannot acquiesce in either of these positions.

In the first place, nothing is found in the agreement subscribed to by the governor Fairfield and sir J. Harvey, defining any limits in the disputed territory within which the operations of the civil posse of Maine were to be circumscribed. The task of preserving the timber recently cut, and of preventing further depredations within the disputed territory, was assigned to the state of Maine after her military force should have been withdrawn from it; and it was to be accomplished by a civil posse, armed or unarmed, which was to continue in the territory, and to operate in every part of it where its agency might be required to protect the timber already cut, and prevent further depredations, without any limitation whatever, or any restrictions, except such as might be construed into an attempt to disturb by arms the province of New Brunswick in her possession of the Madawaska settlement, or interrupt the usual communication between the provinces. It is thus that in the exercise of a legitimate right, and the conscientious discharge of an obligation imposed upon her by a solemn compact, that the state of Maine has done those acts which have given rise to complaints for which no adequate cause is perceived. The undersigned feels confident that when those acts shall have been considered by her majesty's government at home, as

explained in his note to Mr. Fox of the 24th of December last, and in connexion with the foregoing remarks, they will no longer be viewed as calculated to excite the apprehensions of her majesty's government that the faith of existing arrangements is to be broken on the part of the United States.

With regard to the second position assumed by Mr. Fox, that the advance of the Maine posse along the valley of the Restook to the mouth of Fish river, and into the valley of the Upper St. John, is at variance with the terms and spirit of the agreements, the undersigned must observe, that if at variance with any of their provisions, it could only be with those which secure her majesty's province of New Brunswick against any attempt to disturb the possession of the Madawaska settlement, and to interrupt the usual communications between New Brunswick and the upper provinces. The agreement could only have reference to the Madawaska settlements as confined within their actual limits at the time it was subscribed. The undersigned, in his note of the 24th of December last, stated the reasons why the mouth of Fish River, the portion of the valley of the St. John through which it passes, could in no proper sense be considered as embraced in the Madawaska settlements. Were the United States to admit the pretensions set up on the part of Great Britain, to give to the Madawaska settlements a degree of constructive extension that might, at this time, suit the purposes of her majesty's colonial authorities, those settlements might soon be made, with the like justice, to embrace any portions of the disputed territory; and the right given to the province of New Brunswick to occupy them temporarily and for a special purpose might, by inference quite as plausible, give the jurisdiction exercised by her majesty's authorities an extent which would render the present state of the question, so long as it could be maintained, equivalent to a decision on the merits of the whole controversy in favour of Great Britain. If the small settlement at Madawaska, on the north side of the St. John's, means the whole valley of that river—if a boom across the Fish River and a station of a small posse on the south side of the St. John's at the mouth of Fish River, are a disturbance of that settlement, which is twenty-five miles below, within the meaning of the agreement, it is difficult to conceive that there are any limitations to the pretensions of her majesty's government under it, or how the state of Maine could exercise the preventive power with regard to trespassers, which was, on her part the great object of the temporary arrangement. The movements of British troops lately witnessed in the disputed territory, and the erection of military works for their protection and accommodation, of which authentic information, recently received at the departments of state, has been communicated to Mr. Fox, impart a still graver aspect to the matter immediately under consideration. The fact of those military operations established beyond a doubt, left unexplained or unsatisfactorily accounted for by Mr. Fox's note of the 7th inst., continues an abiding cause of complaint on the part of the United States against her majesty's colonial agents, as inconsistent with arrangements whose

main object was to divest a question, already sufficiently perplexed and complicated, from such embarrassments as those with which the proceedings of the British authorities cannot fail to surround it.

If, as Mr. Fox must admit, the objects of the late agreements were the removal of all military force and the preservation of the property from further spoliations, leaving the possession and jurisdiction as they stood before the state of Maine found itself compelled to act against the trespassers, the president cannot but consider that the conduct of the American local authorities strongly and most favourably contrasts with that of the colonial authorities of her majesty's government. While the one, promptly withdrawing its military force, has confined itself to the use of the small posse, armed as agreed upon, and has done no act not necessary to the accomplishment of the conventional objects, every measure taken or indicated by the other party is essentially military in its character, and can be justified only by a well-formed apprehension that hostilities must ensue.

With such feelings and convictions, the president could not see, without painful surprise, the attempt of Mr. Fox, under instructions from his government, to give to the existing state of things a character not warranted by the friendly disposition of the United States, or the conduct of the authorities and the people of Maine—much more is he surprised to find it alleged as a ground for strengthening a military force and preparing for a hostile collision with the unarmed inhabitants of a friendly state, pursuing within their own borders their peaceful occupations, or exerting themselves in compliance with their agreements to protect the property in dispute from unauthorized spoliation.

The president wishes that he could dispel the fear that these dark forebodings can be realized. Unless her majesty's government shall forthwith arrest all military interference in the question—unless it shall apply to the subject more determined efforts than have hitherto been made to bring the dispute to a certain, a pacific adjustment, the misfortunes predicted by Mr. Fox in the name of his government may most unfortunately happen. But no apprehension of the consequences alluded to by Mr. Fox can be permitted to divert the government and people of the United States from the performance of their duty to the state of Maine. That duty is as simple as it is imperative. The construction which is given by her to the treaty of 1783 has been, again and again, and in the most solemn manner, asserted also by the federal government, and must be maintained, unless Maine freely consents to a new boundary, or unless that construction of the treaty is found to be erroneous by the decision of a disinterested and independent tribunal selected by the parties for its final adjustment. The president, on assuming the duties of his station, avowed his determination, all other means of negotiation failing, to submit a proposition to the government of Great Britain, to refer the decision of the question once more to a third party.

In all subsequent steps which have been taken upon the subject by his direction he has been actuated by the same spirit. Neither

his disposition in the matter, nor his opinion as to the propriety of that course, has undergone any change. Should the fulfilment of his wishes be defeated, either by an unwillingness on the part of her majesty's government to meet the offer of the United States in the spirit in which it is made, or from adverse circumstances of any description, the president will, in any event, derive great satisfaction from the consciousness that no effort on his part has been spared to bring the question to an amicable conclusion, and that there has been nothing in the conduct either of the government and people of the United States, or of the state of Maine, to justify the employment of her majesty's forces as indicated by Mr. Fox's letter. The president cannot, under such circumstances, apprehend that the responsibility for any consequences which may unhappily ensue will, by the just judgment of an impartial world, be imputed to the United States."

Mr. Fox replied briefly to this that he would transmit the communication to her majesty's government in England, and that until he received instructions from home, he would not engage in further correspondence on the subject.

In the month of April a letter was addressed to the Speaker of the house of representatives by the secretary of war, developing a plan for reorganizing the militia of the states. It was in the form of the draft of a bill, and the preamble stated that the mass of the militia of the United States as at present organized, was not less than 1,500,000 men, and that every day they were mustered at least 1,000,000 were abstracted from the earnings of labour without adding to the military efficiency of the country. The plan of organization proposed, was intended to prevent the necessity of maintaining large standing armies even in time of war—and to render the militia effective without drawing too large a number of citizens from their occupations. This was to be effected by drilling 100,000 for four years, for a period not exceeding thirty, nor less than ten days in each year, and for an equal term keeping that force ready for action. The provisions of the proposed measure are then detailed by the secretary at length, and the proportions in which persons from the age of 21 to 37, and not to exceed in the whole 100,000, to serve in the militia, were to be taken from the different states and provinces, were as follows:—Maine, 4,400 men; New Hampshire, 2,400; Vermont, 2,400; Massachusetts, 6,000; Connecticut, 2,800; Rhode Island, 800; New York, 18,000; New Jersey, 2,800; Pennsylvania, 10,400; Delaware, 800; Maryland, 3,200; Virginia, 6,000; District of Columbia, 400; North Carolina, 4,400; South Carolina, 2,400; Georgia, 2,800; Florida, 400; Alabama, 2,000; Mississippi, 800; Louisiana, 1,600; Tennessee, 4,400; Arkansas, 400; Missouri, 1,200; Iowa, 400; Kentucky, 4,400; Illinois, 1,200; Indiana, 2,800; Ohio, 8,000; Michigan, 800; and Wiskonsin, 400.

In the month of June, the president communicated to Congress a letter recently addressed by Mr. Fox to Mr. Forsyth, and accompanied it with a message in which he stated his conviction, that the boundary question would be found capable of an amicable solution—but as the line laid down and in-

sisted upon in the report first published by the Bristish commissioners differed materially from that claimed by the United States—it appeared to him that an immediate preparatory exploration and survey on the part of the American government of the portions of the territory more particularly brought to view in the report would be proper. If Congress agreed in this opinion, then a provision to enable the executive to carry the plan into effect would be necessary. The letter of Mr. Fox was dated June 22, and was accompanied by printed copies of a report and map which had been presented to the British government by colonel Mudge and Mr. Featherstonhaugh, the commissioners employed during the last Season to survey the disputed territory. It stated that the most prominent among the causes of failure in past negotiations on the subject, had been a want of correct information as to the topographical features and physical character of the district in dispute; and after detailing the history of previous attempts to settle the question, it went on to say.—

"Her majesty's government, considering the present state of the boundary question, concur with the government of the United States, in thinking that it is on every account expedient that the next measure to be adopted by the two governments should contain arrangements which will necessarily lead to a final settlement, and they think that the convention which they proposed last year to the president, instead of being framed so as to constitute a mere commission of exploration and survey, did, on the contrary, contain certain stipulations calculated to lead to the final ascertainment of the boundary between the two countries.

There was, however, undoubtedly, one essential difference between the British draft and the American counter draft. The British draft contained no provision embodying the principle of arbitration; the American counter draft did contain such a provision.

The British draft contained no provision for arbitration, because the principle of arbitration had not been proposed on either side during the negotiations upon which that draft was founded; and because, moreover, it was understood at that time that the principle of arbitration would be decidedly objected to by the United States.

But as the United States government have now expressed a wish to embody the principle of arbitration in the proposed convention, her majesty's government are perfectly willing to accede to that wish.

The undersigned is accordingly instructed to state officially to Mr. Forsyth, that her majesty's government consent to the two principles which form the main foundation of the American counter-draft; namely, first, that the commission to be appointed shall be so constituted as necessarily to lead to a final settlement of the questions of boundary at issue between the two countries; and secondly, that in order to secure such a result, the convention by which the commission is to be created shall contain a provision for arbitration upon points as to which the British and American commissioners may not be able to agree."

The reply of Mr. Forsyth stated that the president permitted himself

to anticipate the most satisfactory result from the measure under consideration. Congress was dissolved in the middle of July, and its last act of any interest to Great Britain was the passing of a bill, appropriating 25,000 dollars towards the expenses of the survey of the disputed territory between Maine and the British provinces. This passed unanimously.

The great event of this year in America was the election of a new president, which absorbed the thoughts, and engrossed the attention of all parties. To use the words of a contemporary writer resident in the United States,

"It is utterly impossible to convey an idea of the excitement throughout the country on the subject of the presidential election. There is an uprising among the people without a parallel, except in the midst of some mighty revolution, nor is it confined to one party. Both are in the field with their heaviest paper artillery, the only munitions of war publicly used being speeches and printed documents. From one extreme of the nation to the other all are in motion. The men in power are alarmed. The expectants, flushed with the hope of victory, are marching forward. Already may be heard

——"The shout
Of battle now begun, and rushing sound
Of onset."

The candidates for the office were Mr. Van Buren (the previous president), and general Harrison. The latter was the son of one of those who signed the declaration of Independence, and had obtained some reputation for military skill during the war in Canada. The strong and unsparing opposition shewn by Mr. Van Buren and his government towards the banking system throughout the states, which, by affording fictitious credit on an extensive scale, produced the most grievous mischiefs, had raised up many enemies to his re-election. General Harrison was supposed likely to act with more caution and forbearance in this important matter of the banks. He also had pledged himself to several acts which tended considerably to increase his popularity throughout the union. The first of these pledges was, to confine his presidency to a single term; the second, to disclaim all right of control over the public treasure, with the exception of such part of it as might be by law appropriated to carry on the public service; the third, never to attempt to influence the election, nor to suffer the federal officers under his control to take any part in them beyond giving their own votes: the fourth, to remove no person from office without stating, when requested, his motives for so doing. With regard to the exciting question of slavery, general Harrison was a decided anti-abolitionist. Indeed, had he not been, he would have stood no chance in the contest, as in the southern states no votes would have been given to a candidate who was known to incline to the side of the abolitionists.

On the 31st of November the voting for president and vice-president took place in the several states. By the provisions of the constitution this is simultaneous on the same day throughout the union. The result of the balloting is sealed up and forwarded to the senate, which is then sitting, but the seals are not broken until February in the next year. They are then

opened by the president of the senate in the presence of the house of representatives, and the result of the voting in each state is announced. The election, therefore, of president belongs more properly to the events of the succeeding year, and in our next volume will appear a list of the new members of the American government, who form the ministry of the president, and fill the offices of secretaries of state, the treasury, the navy, and war; that of attorney-general, and also of postmaster-general, six in all. But it was perfectly well known that the election had fallen upon general Harrison by a very large majority of votes. This terminated the reign of power which had been enjoyed for twelve years by the Jackson and Van Buren administrations. and that of whig (an anti-democratic party, as it is considered), commenced. For the office of vice-president the choice fell upon Mr. Tyler. We subjoin, in a note, the official returns of the voting in the different states for the election of president.*

Upper Canada.—On the 7th of December, 1839, the governor, Mr. Poulett Thomson, communicated by a message, to the house of assembly of Upper Canada, the terms proposed by the British government as the basis of the union between the upper and lower provinces. These were chiefly the equal representation of both provinces in the united legislature, a sufficient civil list, and the charge of the principal part of the debt of Upper Canada on the revenue of the united province. Both the legislative council and the house of assembly of Upper Canada passed resolutions in favour of the union.

The clergy reserves bill passed the house of assembly of Upper Canada at the beginning of this year by a majority of 28 to 20. By this measure it was originally proposed that the land should be sold, and the produce placed in the hands of a receiver-general for the discharge, in the first place, of all existing claims on the fund; secondly, for the division among the religious sects in the following manner—half to be divided between the members of the established churches of England and Scotland, in proportion to their numbers, and the other half to be divided among all other sects in proportion to the amount of their respective contributions for the purposes of religious instruction. But two alterations were made in the bill in its progress through the house of assembly. In the first place, the whole of the funds arising from the sale of the lands were, by the amendments, to be invested in the colony, instead of in England, or where the receiver-general might direct. Secondly, the denominations of religious belief, other than those coming under the name of "established," were to receive their half of the funds in

	Harrison.	Van Buren.
* Maryland	33,529	28,754
Pennsylvania	144,006	143,705
Rhode Island	5,213	3,263
New Hampshire	26,434	32,670
Connecticut	31,598	25,282
Ohio	148,157	124,782
Vermont	32,440	18,018
Massachusetts	72,913	52,368
New York	225,812	212,519
Georgia	40,349	31,989
Maine	46,612	46,202
Delaware	5,963	4,872
Kentucky	58,489	32,616
	871,515	757,040

proportion to their numbers, and not in the ratio of their voluntary contributions to religious instruction. The legislative council passed this bill, with the above amendments, by a large majority; and on the 10th of February the Upper Canada parliament was dissolved by the governor, who congratulated it on having passed the clergy reserves bill, and thereby set at rest a question which had for years past convulsed the province.

Mexico.—In the early part of the month of July in this year, a revolution broke out in the city of Mexico, which was forcibly taken possession of by the federalists. General Urrea had been imprisoned by the government, but his adherents and followers among the troops released him by a *coup de main*, and having surprised the palace and overcome the guard there, they seized the president and incarcerated him. Urrea immediately raised the standard of revolt, and put himself at the head of the federalists. After twelve days fighting in the streets, during which about 300 were killed and wounded, the federalists were obliged to yield to governor-general Valencia, who arrived with a reinforcement of troops, and they evacuated the city on the 27th of July, after capitulating on honourable conditions, one of which was, that Valencia should employ his influence with the government in bringing about a reform of the constitution; and another, that all acts committed during the late attempt at revolution should be buried in oblivion. This outbreak was not attended with any excesses, and private property was respected on both sides. General Bustamente again assumed the direction of affairs; and Santa Anna, who on first hearing of the revolution, had left Vera Cruz with a body of troops to support the government, when he reached the capital and found that the disturbance had terminated, returned at once with his forces to the castle of Perote.

Texas.—On the 16th of November a commercial treaty between Great Britain and the republic of Texas was signed in London by lord Palmerston and general James Hamilton, the envoy from the republic to England. By this treaty the independence of the infant state was recognized, and the basis of the commercial stipulations was perfect reciprocity. It was hoped that this would tend to bring about a reconciliation between Mexico and the Texas, and cause a settlement of the boundaries of the last-mentioned republic in which the former would acquiesce.

Brazil.—On the 23d of July the emperor, although still legally a minor, was by a *coup d' état* declared of age, and assumed the reins of government. The discussions on this question in the senate had been most violent and disorderly, but the declaration of the emperor's majority was carried. On the same day his imperial majesty arrived in state at the senate house and took the requisite oaths, after which he reviewed the troops. The city of Rio de Janeiro was illuminated at night, and rejoicings took place. A new ministry was immediately appointed.

Nova Scotia.—The house of assembly this year voted resolutions declaring the necessity of remodelling the executive council on the principle of lord John Russell's despatch of the 16th of October, 1839, so as to produce harmony between the colonial government and

the house of assembly. Sir Colin Campbell, however, the governor, replied, that he had no reason to believe any alteration in the sentiments of the queen's ministers had occurred, and that he was in every way satisfied with the assistance he had received from his council. The assembly then remonstrated, and called upon the governor to carry into effect the principle laid down by the head of the colonial secretary in England. Sir Colin answered that he could not put the same construction on the despatch as the assembly, but promised to refer the resolutions of the house of assembly to the government at home. Upon which the house of assembly adopted a petition to the queen to remove sir Colin Campbell, and he immediately prorogued the parliament.

New Brunswick.—This year a colonial despatch was received from England regarding the selection of public functionaries and the tenure of offices; and after it had been published by governor Harvey, a resolution was moved in the house of assembly by the reform liberal party, expressing great satisfaction at the announcement of her majesty's intention "to infuse principles into the administration of colonial affairs strictly analogous to the principles of the British constitution." The government party moved as an amendment, stating that there was nothing in the despatch "to call forth any expression from the house on the subject of colonial government." This produced a still stronger amendment on the part of the reformers, which was negatived by 15 to 13. On the first amendment the numbers were equal, 14 to 14, when the chairman (the house being in committee) gave his casting vote in favour of it and the government.

CHAPTER XIV.

BRITISH INDIA.—*The army of the Indus commences its retrograde march—Dost Mahomed retires beyond the Hindoo Koosh—General order issued by Lord Auckland—Honours and rewards granted to the army—Unpopularity of Shah Soojah in Cabul—Syed Hoshein, chief of Koona, becomes refractory, and is attacked in the fort of Pooshut, by a British force, under Colonel Orchard—Hardships endured by the troops—Capture of Pooshut—Sword of Prince Hyder Khan presented to Lord Keane, at Bombay—Fitting out of armament destined for China—Unsettled state of Affghanistan—Misadventure and Death of Lieutenant Clarke, in an engagement with a large body of Beloochees—Khiva—Declaration of War by Russia against Khiva—Successes of the Russians in Khiva—Major Clibborn, in attempting to relieve the Garrison in Kahun, is attacked by the Beloochees, while entangled in dangerous defiles—Repels the attack, but, from want of water, is obliged to give up the attempt—Victory gained by Brigadier Dennie over Dost Mahomed, who flies into Kohistan—Two desperate assaults made by the Arabs on the fortress of Aden, at the Mouth of the Red Sea—Khelat taken by Meer Nasseer Khan—State of Kingdom of Nepaul—Some account of the Topography of the Theatre of War in the north west of India—Distribution of the Army in Affghanistan—Documents relating to India, published by order of House of Lords—Letter of Lord Ellenborough, when President of the Board of Control, to the Chairman of the E. I. Company, in* 1835—*Mode of levying Inland Duties in India.* JAMAICA.—*Session opened in October—Speech delivered by Sir C. Metcalfe, the Governor—Address voted by House of Assembly, both of which give a gratifying account of the Condition and Prospects of the Island.*

INDIA.—The army of the Indus having, under its gallant leader sir John (afterwards lord) Keane, achieved the object for which it had been sent to the north-western extremity of India, by seating Shah Soojah-ool-Moolk on the throne of Cabul, and having, with memorable skill and bravery, carried by storm the two important fortresses of Ghuznee and Khelat, commenced its retrograde march in the middle of October, 1839. The army was divided into two parts,—one of which was to return to Bengal, under the conduct of Sir J. Keane himself, and the other to march for Bombay by the

Bolan Pass, and then through Scinde. The forces left in the Affghan territory were placed under the command of general Nott and colonel Sale, of whom the former had to direct his attention to Candahar and Quetta, and the latter to Cabul, Jellalabad, and Ghuznee. Dost Mahomed, at this time, had ceased to excite much alarm. His power seemed to be completely broken, and the impression made upon the minds of the chieftains of India by the exploits of British arms in the late campaign deterred them from rallying round his standard. He had retired across the Hindoo Koosh, the passes of which were guarded, and the chiefs of Balkh and Bokhara refused to join him.

When that portion of the army of the Indus which was under the immediate command of Sir J. Keane arrived within the Peshawer's territory, the governor-general (lord Auckland) issued a general order, dated, "Camp, Pamput, November 18," in which he "offered publicly his warmest thanks to the commander-in-chief, and to the officers and men who had served under his command, for the soldier-like spirit and conduct of all ranks throughout the late campaign;" and he congratulated them on attaining the great objects of national security and honour for which the expedition was undertaken: "The plans of aggression by which the British Empire in India was dangerously threatened, have, under Providence, been arrested. The chiefs of Cabul and Candahar, who had joined in hostile designs against us, have been deprived of power, and the territories which they ruled have been restored to the government of a friendly monarch. The Ameers of Scinde have acknowledged the supremacy of the British government, and ranged themselves under its protection. Their country will now be an outwork of defence, and the navigation of the Indus within their dominions, exempt from all duties, has been opened to commercial enterprise. With the allied governments of the Sikhs the closest harmony has been maintained; and on the side of Herat the British alliance has been courted, and a good understanding, with a view to common safety, has been established with that power." The governor-general then went on to express, in the warmest terms, his sense of the valour, discipline, and cheerfulness under hardships and privations of the army of the Indus, and its conciliatory conduct to the inhabitants of the countries through which it passed, whereby it had earned respect for the British name; and he stated the gratifying fact, that the native Sepoy and European soldier had vied with each other in effort and endurance.

In testimony of the services of the army of the Indus, the governor-general resolved that all the corps, European and native, in the service of the East India Company, which proceeded beyond the Bolan Pass, should have on their regimental colours the word "Affghanistan," and such of them as were employed in the reduction of the fortress of that name the word "Ghuznee" in addition; and in behalf of the queen's regiments he, in the same general order, stated, that he would recommend to her majesty that the same distinction should be granted to them. Besides this complimentary notice, lord Auckland ordered that a donation of six months, full or field batta, should be given to the officers

and fighting men of every rank attached to the army who advanced beyond the Bolan Pass.

But, although the prowess of British arms and the terror of the British name had wrested from the hands of Dost Mahomed the throne in Affghanistan, and seated Shah Soojah on it in his stead, the latter was by no means secure of retaining it a moment longer than he was supported by European aid. All accounts concur in describing the feeling of his subjects at this time towards him as that of perfect detestation, and even the people of his own particular tribe were said to entertain such bitter animosity against him, that his life would not have been safe with them had it not been for British protection. The Affghans openly declared, as the army of the Indus was returning through their country, that they would rather be under the rule of the British than that of Shah Soojah, whom they abhorred as the man who had sold their country to the Feringees. It was not long before a specimen was given of the precarious nature of the tranquillity which was supposed to have been established in the north-west of India, and of the general outbreak that might be anticipated so soon as the British forces had evacuated the countries where they had so signally triumphed. At the beginning of the present year the chief of Koona, Syed Hoshein, who had already signed the treaty of allegiance to Shah Soojah, sent a letter to his majesty, couched in the most insulting terms, and stating, that as he heard the Russians were advancing, it was his intention to join them. On receiving news of this, sir Willoughby Cotton, who commanded one division of the force which was returning under sir John Keane, despatched colonel Orchard from Jellalabad, with a body of European and native troops, to attack the fort of Pooshut (forty or fifty miles from Jellalabad), where the Koona chief had taken up his residence. The weather was dreadful; the rain fell in torrents, and the cold was so intense that the men were benumbed by it, the snow lying around them in great depth on the neighbouring hills. The gate of the fortress was battered down by cannon, and the troops were on the point of rushing in, when it was discovered that there was a second wall and a second gate. A murderous fire now opened from the fort upon the attacking column, and as the powder as well as muskets of the men had become wet from the rain, not one of them would go off twice, and they were obliged to retire and shelter themselves from the guns of the fort. An attempt was then made to blow up the inner gate with powder, which was laid in great quantities for the purpose, but this, too, was so damp that it would not explode. The troops then retreated, in the midst of heavy rain, expecting to renew the assault on the morrow, but, during the night, Syed Hoshien evacuated the place, which was taken possession of by our troops on the next day, the 18th of January in this year. It was found to be a fortress of considerable strength, and, like Ghuznee and Khelat, much more capable of a desperate defence than had been anticipated. An attempt was made to follow and capture the fugitive chief, but the guns of the attacking party got so firmly fixed in the mud that they could not be moved. The troops on this occasion behaved with great fortitude

as well as gallantry, for the state of the weather, which was extremely cold and wet, subjected them to very severe hardships. In this enterprise nineteen European and Sepoy rank and file were killed, and thirty-nine wounded.

Lord Keane arrived at Bombay in the latter end of February on his way to England, and the officers of the Bombay division of the army of the Indus took this opportunity of purchasing the magnificently ornamented sword, formerly belonging to prince Hyder Khan, which had been taken at Ghuznee, and presenting it to him. Lord Auckland also returned on the 11th of February to Calcutta, having left Mr. Robertson in charge as governor of the north-western provinces. The reason why the governor-general was anxious to be at head quarters again, was to superintend the fitting out and despatch of a strong armament against China, consisting of men-of-war steamers, and a large body of troops. The command of the British squadron destined for Canton was taken by sir J. Gordon Bremer, as commodore, until the arrival of admiral Elliot, who was then at the Cape. Lord Auckland was most active in getting every thing ready to enable the armament to sail as soon as possible, but this was useless before May, as the south-westerly winds which prevailed during that month in the Chinese seas, would carry it to its destination as soon if it sailed then, as if it left India at an earlier period.

In the meantime, however, the state of Affghanistan remained very unsettled; Dost Mohamed was employed with restless activity in intriguing among the native princes, with a view to recovering the throne which he had lost, and the condition of our troops which had been left in the territory of Shah Soojah, was described as one imperatively demanding refreshment and repose.

A disastrous incident occurred in the hill country of north Cutchee early in May, whereby lieutenant Clarke, who was escorting a body of 500 camels with seventy sepoys and fifty horsemen from the Muzzee fort of Kahan to Llohree, was surrounded by a large body of Beloochees as he was entangled in some dangerous defiles, and he himself was slain and his troops cut to pieces by the enemy. The Beloochees were about 2,000 strong, and lieutenant Clarke had most imprudently, and against the advice of his guides, refused to push on for the open country, where he would have been in comparative safety. The sawars and sepoys, who constituted his force, did not on this occasion behave with their usual firmness and gallantry, but almost immediately fled before the Beloochees, and lieutenant Clarke fell the victim of too great rashness in underrating the courage and strength of his opponents.

We have alluded above to the conduct of Syed Hoshein, the chief of Koona, in setting Shah Soojah at defiance, and declaring his expectation of Russian assistance. This had reference to the movement of the Russian arms in the direction of Khiva, against which Russia had formally declared war in the month of December last year. Khiva is governed by a khan, and is on the borders of the Caspian sea. It is bounded on the north by the steppes called those de Kerchifs, on the south by Per-

sia, and on the east by the provinces of Taran, Bokhara and Balkh. The latter borders on Affghanistan, the capital of which, Cabul, had recently been taken and occupied by British troops, when they established Shah Soojah upon the throne. The vicinity, therefore, of Khiva to that territory to which our interference had extended, rendered any movement of Russia towards its acquisition a matter of grave importance.

The manifesto of the Russian government in declaring war, stated that for a long time past the insults and provocations that had been practised by the inhabitants of Khiva, had called the attention of the imperial government to that country. As this document gives a somewhat interesting account of the state of Khiva, and the nature of the injuries complained of, we insert it at length here. The views and pretexts of Russia in establishing a footing in the north western provinces of India, however remote from the territory subject to British dominion, must be full of interest to every one who contemplates the future destiny of our Indian empire.

"Khiva, which borders on Kergis-Kaissakes, the inhabitants of which are Russian subjects, has constantly, for a series of years, shown by acts of hostility the little esteem it entertained for a power with which, for its own sake, it should have kept up a friendly intercourse. Our trade with the provinces of Central Asia was a source of prosperity for the inhabitants of Khiva, who drew from it their principal resources, and possessed through it in Russia the rights and privileges granted to the other inhabitants of Asia; but Khiva, far from appreciating advantages and benefits, has been guilty of the most flagrant disloyalty and unparalleled audacity. It daily harasses the wandering tribes that encamp on our frontiers, interrupts the intercourse the other states of Asia keep up with us, detains the caravans of Bokhara on their way to and from Russia, obliges them to pay extravagant duties, and compels them by main force to pass through its territory, and there seizes a considerable portion of their merchandize. These insults to foreigners holding commercial intercourse with Russia are, however, of less importance than the attacks which have been made on Russian caravans. Not one of these can now cross the deserts without danger. It was in this manner that a Russian caravan from Orenburg with goods belonging to our merchants was pillaged by the armed bands of Khiva. No Russian merchant can now venture into that country without running the risk of losing his life or being made a prisoner. The inhabitants of Khiva are constantly making incursions into that part of the country of the Kerguis which is at a distance from our lines, although the Kerguis recognized the sovereignty of Russia under their khan, Abul Chaix; they destroy their camps, lay them under heavy tributes, excite them to disobedience against the legal authority, give an asylum to those who revolt, and to crown all these insults they are detaining several thousand Russian subjects in slavery. The number of these unfortunate wretches increases daily, for the peaceful fishermen on the banks of the Caspian are continually attacked and carried off as slaves to Khiva. The unfortunate condition of so many victims has

naturally excited the solicitude of our government, which, of course, considers it to be a most sacred duty to protect and insure the lives and tranquillity of all the subjects of the empire. But the generous manner in which it called the attention of the inhabitants of Khiva to the consequences to which their criminal conduct would infallibly give rise, has unfortunately been disregarded. Deaf to entreaty, they despise the indulgence we have shown, and, confounding in their ignorance moderation with weakness, they have calculated on impunity. In their blindness they have gone so far as to construct two forts beyond the frontiers, on the road of the caravans proceeding to Bokhara, in order to attack our merchants with less danger. Since then their incursions and robberies have daily increased, and, at present, their implacable hatred against Russia knows no bounds. As a last resource to bring these barbarians to reason, the Khiva merchants in Russia were arrested, and the release of the Russian prisoners and the cessation of hostilities were announced as the condition of their liberty. But this measure was not attended with success, for, after having waited three years, at most 100 persons were sent back, though last spring, on the borders of the Caspian, 200 Russian subjects were carried off as prisoners. But now every means of persuasion has been exhausted. The rights of Russia, the security of her trade, the tranquillity of her subjects, and the dignity of the state, call for decisive measures, and the emperor has judged it to be high time to send a body of troops to Khiva to put an end to robbery and exaction, to deliver those Russians who are detained in slavery, to make the inhabitants of Khiva esteem and respect the Russian name, and, finally, to strengthen in that part of Asia the lawful influence to which Russia has a right, and which alone can insure the maintenance of peace. This is the purpose of the present expedition, and as soon as it shall be attained, and an order of things conformable to the interests of Russia and the neighbouring Asiatic states shall be established on a permanent footing, the body of troops, which has received orders to march on Khiva, will return to the frontiers of the empire."

A strong Russian force was accordingly, without loss of time, despatched under general Brelowsky, which reached Khiva at the latter end of March in this year. The troops halted on the borders of the Steppes for some weeks, in consequence of the heavy snow that had fallen, and afterwards came down the sea of Aral to Khiva. Their number was estimated at nearly 30,000 men, with twelve batteries of artillery. In various encounters which they had with the soldiers of the khan, the latter were invariably worsted, but the Russians were much annoyed and galled by the species of *guerilla* warfare kept up by their opponents. Captain Abbott was at this time the British envoy at the court of the khan of Khiva, and the latter wished to make use of his services as a meditator between himself and the Russians, professing his willingness to give up slavery and surrender the Russian slaves within his power, but declaring that he had no means of paying the demands made upon him by way of compensation by that government.

The disaster which we have

narrated as having befallen lieutenant Clarke and his party in May, was not the only misfortune which happened to the British arms this year in the disturbed provinces of the north west of India. Captain Browne who commanded the garrison in the fort of Kahun, being besieged by the Beloochees, major Clibborn, on the 12th of August, was sent to his relief with a convoy consisting of six divisions of infantry, about 450 strong, two 12 pounders, and fifty of the Scinde horsemen. After marching under a burning sun for many days, they reached the dangerous pass of Surtof, about seven or eight miles from Kahun, on the 29th. Two days afterwards, while engaged in defiling through the pass, the enemy appeared in front, and commenced a destructive fire upon the troops. The Beloochees had destroyed the regular road, and obstructed the only path that was left by breastworks covered with thorn bushes. The guns of the convoy were immediately placed in position to enfilade the pass in front, and the major ordered the left flank companies of the 1st and 2nd Grenadiers to storm the heights, where the enemy were posted. The following account of the contest which ensued is graphic enough to deserve insertion:—

"The enemy opened a very heavy fire, but our party gallantly advanced and gained the head of the pass, and were ready to push on, when a dense mass of the enemy overwhelmed the storming party with musketry and showers of stones, while others fell on them with sabres, committing a fearful havoc on the retreating sepoys; the advance companies were ordered to the support of the guns and colours, when the numberless enemy rushed down with the most determined gallantry, and with such impetuosity, that the troops had hardly time to form; hard fighting on both sides, the enemy yelling and howling like beasts of the forest; but the well applied rounds of grape from captain Stamford's howitzers, soon repulsed the enemy with considerable loss, leaving above 200 dead on the field. Our troops suffered severely, above 150 killed and wounded."

Notwithstanding this success, the situation of the convoy was most critical, and the want of water was dreadfully felt by the thirsty and wearied troops. We again quote from a contemporary narration of what occurred:—

"The heat was dreadfully intense, and the suffering of the men and cattle from exhaustion and thirst had become painfully apparent; the little water remaining in the puckalls from the last halting place was dried up, and no water was procurable unless the pass was carried, and the post of Kahun was distant about six miles. The puckall bheesties and camel puckalls, together with the gun horses and officers' horses with followers, under an escort of fifty of the irregular horse, went for water. At this time the cries of the wounded and dying for 'water! water!' were increasing, and gave rise latterly to scenes of frenzy and despair. In this manner they remained, anxiously awaiting the arrival of the water party. Some stragglers came in and reported that the water party was surrendered in a nullah: what was to be done? They had already lost 150 men of the force, the remainder were enfeebled with the thirst and exertions of the two previous days, and, to add to

their difficulties, most of the camel drivers, dooley bearers, &c., had absconded during the action, after plundering the commissariat of the loads of flour, &c. The gun horses were gone, and the men of the Golundauze so prostrated from fatigue and thirst, that latterly they could scarcely rise to fire a gun. Major Clibborn after mature deliberation, found that it would be impracticable to throw provisions into the fort of Kahun, and further, that unless the water party returned, the whole force must perish of thirst; the sad alternative was forced upon this gallant officer of abandoning the unfortunate garrison at Kahun. No signs of the water party appearing at 10 p. m., captain Stamford was ordered to spike his guns, and this enfeebled force moved off with as much quietness as the frantic state of the men would permit. Almost everything was abandoned, owing to the desertion of the camel drivers, and at daylight they had partly descended the pass of Surtef, when the little baggage, stores, and treasure, they were able to bring with them, fell into the hands of the enemy A great number of followers were here massacred. Without food and tents, and marching in the burning heat of the sun, they were obliged to make one forced march to Poolajee, where they arrived completely famished."

Another account is from its brevity still more striking,—

"We beat the enemy, but heat and thirst killed us—the men were frantic—mad;—major Clibborn's conduct was capital,—coolness itself, and he only abandoned his material to save the lives of the enfeebled and frantic survivors, after all his gun horses, camels, and camel drivers, and followers had either fled or been killed. We have a nation in arms against us."

The gallant conduct, however, of major Clibborn and his little band was not without result; for the terror inspired by their courage in the minds of the Beloochees was such that they permitted captain Browne afterwards to evacuate the fort of Kahun, and retire with all his troops, material, and stores, to Shikarpoor without molestation.

In the month of September, a signal victory was obtained by the steadiness and valour of native troops in the British service over very superior numbers in the defeat of Dost Mohamed, by Brigadier Dennie, C. B. On the evening of the 17th, that officer was informed that the advanced guard of the forces which the dethroned chieftain had collected, had arrived within sight of Bamlan, and next day he led forward a party of troops consisting only of 270 of the 35th Native Infantry, 230 of Shah Soojah's Goorkhi Battalion, a handful of the Shah's cavalry, another native corps, and two guns, for the purpose of reconnoitering the enemy. After advancing a short distance, he found himself suddenly in front of Dost Mohamed himself at the head of an army of about 8000 men. Brigadier Dennie, notwithstanding the fearful disparity of numbers, determined to hazard an engagement, and opened a fire from his two guns with such precision and effect as to throw the ranks of the enemy into confusion. They charged, however, with great fierceness more than once, but were unable to make any impression on Brigadier Dennie's gallant band. The action lasted for some time, but in the end the troops of Dost

Mohamed were put to flight, and he himself was severely wounded, as was also his general, the Walee of Kholoona. He retreated from the field, leaving 500 men dead upon the ground, with the whole of his camp equipage, baggage, standards, and some heavy pieces of ordnance, all of which fell into our hands. The enemy were pursued for seven miles, but Dost Mohamed made his escape, and fled into Kohistan.

During this year, several desperate attacks were made by the Arabs on the fortress of Aden, in our occupation at the mouth of the Red Sea. The first was on the 20th of May, when a body of about 500 who acted as a kind of advanced guard, of 4000 or 5000 Arabs, nearly succeeded in surprising the fort; but the vigorous fire that was directed upon them compelled them to abandon their bold attempt. The next occasion was on the 5th of July. This attack was made as before, very early in the morning; but the redoubts and breastworks of the fortress poured upon the Arabs such a destructive fire, that they soon fled, losing about 150 men. Soon afterwards, a body of about 200 of them who had advanced too far, were surrounded and taken prisoners. Their leader and his band immediately sat down on the ground; but on an attempt being made to disarm them, they rushed among the soldiers, and fought with desperation, until their chief fell, when they seized his body, and carrying it off with them, fled to a neighbouring hill. As they ascended this, they received three distinct rounds of musketry, but they carried away all their dead and wounded but one Arab, who was stunned by a blow, and taken into the guard house. Here he sat for upwards of an hour, when he suddenly started up, drew from his side a short sword, which he had kept concealed, and wounded nearly twenty soldiers before they could despatch him with their bayonets. The hatred of the Arabs towards the "Feringees," as they called us, seemed to be implacable; and they declared that they would never desist from their attacks upon Aden until they had driven the "Feringees" out of it.

The coronation of Tharawaddie, king of Burmah, took place on the 10th of August, and was said to have been attended with the greatest rejoicings and festivities, which lasted for several days.

We mentioned in our last volume that Khelat, a fortress in the north east of Beloochistan, had been carried by storm in most gallant style, by major-general Willshire, on the 13th of November, 1839. We have now the unpleasing task of recording its recapture in the month of July, in the present year. The fortress, after it had fallen into our hands, was garrisoned by Shah Niwaz Khan and his native troops, assisted by lieutenant Loveday, who acted as our political agent, and about thirty sepoys under his command. On the 24th of July, the son of Mehrab Khan (the late ruler of Khelat), named Meer Nusseer Khan, arrived before the fortress, with about 3000 men, and immediately commenced an attack upon the place. They were at first repulsed, but subsequently after three days defence, treachery appeared amongst the troops of Shah Niwaz, and a portion of the attacking force having been admitted by them within the walls, he abandoned further resistance, and capitulated, on condition that he, together with his

family, should be allowed to retire in safety to Baghana, and that the life and property of lieutenant Loveday should be respected. These stipulations were faithfully adhered to, and lieutenant Loveday, who remained for some time in Khelat, was treated with consideration by the captors. Preparations were, however, immediately made for wresting Khelat again from the hands of Mehrab Khan's son; but no accounts reached England this year of the attempt having been successful.

It was, for some time, feared that in addition to our embarrassments in the north western extremity of India, we should become involved in a war with the kingdom of Nepaul, which lies to the north north-east, in the direction of China; but the apprehension of this died away, and it is not necessary to fatigue our readers with a narrative of negotiations and rumours of war, which led to no important result. There seems to be little doubt that the intentions of the Rajah of Nepaul were hostile towards us, and that he wished to avail himself of the opportunity afforded by our quarrel with China to embarrass our Indian government. A constant intercourse was kept up between the courts of Catmandoo and Pekin; and it was strongly suspected that the influence of the latter was actively employed to bring the kingdom of Nepaul, as well as the celestial empire, upon our hands at the same time.

As the countries that lie to the north west of India in which the military operations took place which we have detailed in this and the preceding volume are very imperfectly known to the English reader, and the theatre of war there is little understood, we give the following brief sketch of the topography of the district. In Scinde itself, comprising the low country which is of a level nature, tranquillity prevailed; and the British at Sukkar, and generally throughout Scinde, considered themselves secure from attack. But the scenes of discord and strife were laid amongst the mountains where the wild and robber hordes have for centuries followed a life of predatory warfare and rapine. They pour down like torrents on the plains below, and carry devastation along with them. The entrances to these mountain districts are first Pallajee, which is distant about fifty-eight miles from Kahun, through defiles of the most difficult and dangerous character — narrow gorges — and over steep hills where little or no forage is to be found, and the water is scarce and the wells far apart. After ascending the last hill, there appears to the eye of the traveller an extensive table-land, in the midst of which stands the fort and town of Kahun, the capital of the Moree tribe. It was in order to keep in check the wild and ferocious tribes that inhabit this district, that it was determined to occupy Kahun with a British force. Another inlet into the recesses of these mountaineers, is the Gandana pass, and it is by this gorge that the fierce bands issue from their fastnesses amongst the rocks, and prowl around the fortress of Khelat. The Bolan pass, through which the army of the Indus marched on their way to Cabul, lies amongst mountains which are equally infested by robber tribes—and these were the kind of enemy which our expedition into the far north-west

brought upon us. A very little consideration will suffice to show the difficulty of retaining our footing in those regions. Fierce marauders, in vast numbers, swarm around the forts and detachments that pass from place to place, and their implacable hostility is unchecked by defeat, because having neither polity nor country, they re-assemble wherever plunder is to be found. We cannot maintain a large force at such a distance from our own provinces in British India, and the small garrisons and detachments of sepoys which we have left there under the command of British officers, run imminent risk of destruction, if their vigilance is for a moment surprised. In the month of September, the following was the amount and distribution of the army in Affghanistan:—

Head-quarters, Cabul, Sir W. Cotton, G.C.B., commanding.—2d Company, 6th Battalion. Abbott's Battery. 2d Light Cavalry. 1 Ressalah, 4th Local Horse. Her Majesty's 13th Light Infantry. 35th Native Infantry. 37th Native Infantry. Two companies 27th Native Infantry.

Candahar.—4th company, 2d Battalion Foot Artillery. Battering Train. 2 Ressalahs 4th Local Horse. 2d Native Infantry. 42d Native Infantry. 43rd Native Infantry.

Ghuznee.—I Ressalah 1st Local Horse. 14th Native Infantry.

Rajah.—1st European Regiment. 48th Native Infantry.

Bamian.—4th troop 3d Brigade Horse Artillery.

SHAH'S CONTINGENT.

Cabul.—2d Regiment Horse. 3d Regiment Horse.

Candahar.—1st Regiment Horse. 5th Regiment Foot. Two troops, H. A.

Quetta.—1st Regiment Foot. 2d Regiment Foot.

Bamian.—4th Regiment Foot.

On the 5th of March, the House of Lords ordered certain public documents relating to the government of British India to be printed, which, besides copies or extracts of despatches from the governor-general to the court of directors, contained copies of correspondence between the board of control and the court of directors, from 1834 downwards, relative to "the system of levying the duties of customs in the three presidencies." Amongst these papers was one addressed to the chairman of the company, by lord Ellenborough, when president of the board of control, during the short period of sir Robert Peel's administration in 1835, and which was intended to be a guide to the government of lord Heytesbury, who had been nominated governor-general of India, under the Conservative ministry; but the appointment was cancelled by the Whigs on their return to power, before that nobleman had sailed from England. We lay before our readers some extracts from this valuable document as giving an able account of the mode of levying the duties in India, and the state of the fiscal regulations with regard to the productions of that country. This state-paper is the more important on account of the fact that lord Ellenborough was in the following year (1841) himself appointed governor-general of India. It bears date "India board, March 18, 1835," and is signed "Ellenborough." It begins by stating, that the court of directors, and the board of control, had on more than one occasion

intimated to the local government their wish that the people of India might be relieved from the transit duties; but that no steps had been taken to carry these recommendations into effect. After alluding to the report then recently drawn up by Mr. Trevelyan upon the inland customs and duties of the Bengal presidency, lord Ellenborough proceeds—

"It is unnecessary for me to observe upon the extreme importance to India of encouraging the cotton manufacture, which has of late years been so nearly superseded by the importation of British cottons.

"While the cotton manufactures of England are imported into India on payment of a duty of $2\frac{1}{2}$ per cent., the cotton manufactures of India are subjected to a duty on the raw material of 5 per cent., to a further duty on yarn of $7\frac{1}{2}$ per cent., to an additional duty upon the manufactured article of $2\frac{1}{2}$ per cent.; and, finally, to another duty of $2\frac{1}{2}$ per cent., if the cloth should be dyed after the rowannah has been taken out for it as white cloth.

"Thus, altogether the cotton goods of India may pay $17\frac{1}{2}$ per cent.

"We have been endeavouring to improve the leather manufactures of India, but our efforts are, to no inconsiderable extent, counteracted by the duties which have been suffered to remain.

"The raw hide pays 5 per cent.; on being manufactured into leather, it pays 5 per cent. more; and when the leather is made into boots and shoes, a further duty is imposed of 5 per cent., thus, in all, there is a duty of 15 per cent.

"We desire that at the earliest period consistent with the safety of the West Indian colonies, the sugar of India may be admitted on payment of the same duty which may be imposed upon West Indian sugar; but in what manner do we continue to treat our own sugar? On being imported into a town, it pays 5 per cent. in customs. and 5 per cent. in town duty, and when manufactured it pays on exportation from the same town 5 per cent. more; in all 15 per cent.

"It is unnecessary to multiply instances. The effect of these and similar duties is virtually to prohibit the manufacture in towns of all articles not absolutely required for their own consumption; to confine manufactures to the place where the raw material is produced; and, by such restrictions, much more than by any tax actually levied, to depress the productive industry of the people.

"Not less than 235 separate articles are subjected to inland duties; the tariff includes almost everything of personal or domestic use; and its operation, combined with the system of search, is of the most vexatious and offensive character, without materially benefiting the revenue. . . . . .

"We are in a position in which we cannot remain. We cannot proceed much further in reductions of expense otherwise than by a minute and watchful attention to all the details of our establishments, by which ultimately, I trust, we may effect a large saving; but at the present moment we cannot, by any sudden stroke, materially diminish our charges.

"To increase taxation is impossible. It already presses but too heavily upon the people, aggravated, as it seems to be, by a deficiency of circulating medium.

"To remain without an effort to redeem ourselves from the finan-

cial difficulties which the recent measure of the legislature has either occasioned or increased, would be at once unworthy and ruinous. We have but one course —that of relieving the people from undue pressure, by giving freedom to internal trade.

"It is in the improved condition of the country, and in that alone, that we can find the resources which will preserve us from bankruptcy.

"We may at once, by our own authority, give entire liberty to the internal communication of 60,000,000 of people. Industrious, possessing a fertile country, traversed in its whole extent by a navigable river, inaccessible to foreign war, and protected in their property by an impartial administration of the laws; the inhabitants of Bengal would thus obtain, by the enlightened policy of their government, more extensive means of public prosperity than are enjoyed by any other nation in the world; but I trust that no lengthened period will elapse, before, by the influence of our example, we shall induce the neighbouring states within and beyond the Indus to adopt similar measures."

Lord Ellenborough concludes these suggestions by saying, "I have confined myself, in this letter, to recommending the immediate abolition of the transit duties in Bengal only, because I am not yet in possession of the full information I require with respect to the nature and operation of similar duties in the presidencies of Fort St. George and Bombay; but the principle applies to all India, and I regret every hour which passes over the head of this recognized abuse."

Jamaica.—The accounts from this island during the present year were of the most satisfactory character, and the conciliatory conduct of the imperial parliament towards the colonial legislature produced the happiest results. The session for 1840 was opened in October, and the Speaker, attended by the house of assembly, having been summoned to the council chamber, the governor (sir C. Metcalfe), delivered a long speech, giving a gratifying account of the situation and prospects of this important possession of Great Britain. The following extract presents an interesting example of the happy results which have flowed from the great experiment of West Indian negro emancipation.

"All those who are acquainted with the state of this island must know that there is no more fear of a return of slavery in Jamaica, than there is of its establishment in England; that our emancipated population are as free, as independent in their conduct, as well conditioned, as much in the enjoyment of abundance, and as strongly sensible of the blessings of liberty, as any that we know of in any country; and every one who reflects must be aware, that in a land where the demand for labour is pressing, and the supply inadequate—where the people have, in most parts, means of support, which precludes the necessity of continuous labour—where the desire to live at ease may, to a considerable extent, be gratified—and where uncultivated and fertile land is abundant and procurable at little cost, positive coercion is, in the nature of things, impossible: and that the virtual coercion which, in all countries, is imposed by the necessities of the labouring man, is likely to be less here than in

any part of the United Kingdom. To these advantages may be added, that all disqualifications and distinctions of colour have ceased; that men of all colours have equal rights in the law, and an equal footing in society; and that every man's position is settled by the same circumstances which regulate that point in other free countries, where no difference of colour exists—that civil and religious liberty is universally enjoyed in as great a degree as in the mother country, and that we have a press as free as any in the world. Such is the present condition of this colony in those respects, and it may be asserted without fear of denial, that the former slaves of Jamaica are now as secure in all social rights as free born Britons. Let it be our study, gentlemen, to confirm, and if possible, improve this happy state."

And again,

"I receive gratifying reports of the general conduct of the emancipated population, showing that they continue to be worthy of the praise graciously bestowed on them in her majesty's speech to the imperial parliament. Churches, chapels, and schools, raised with the aid of grants from the mother country and the island, or from the funds of charities and societies, and in some cases at the expense of individuals, or by local subscription, to which, in many instances, the labouring class contribute, are in the course of erection, in addition to many which already exist, and more are continually required to meet the demand for education and religious instruction. Several savings' banks are in operation, of which the labouring population laudably avail themselves; and it may be expected, and is to be desired, that more of these valuable institutions will be established."

With reference to these portions of the speech of his excellency, the house of assembly, in their address, echoed the pleasing statement of the governor in the following words:—

"The peaceful demeanour of the emancipated population of this island redounds to their own credit, and affords a proof of their continued comfort and prosperity."

CHAPTER XV.

CHINA.—*Narrative of Events in China since* 1834—*Bill for opening Trade with China introduced by Mr. Grant, in* 1833—*Appointment of Lord Napier as first Chief Commissioner—Arrival at Macao—Refusal of the Viceroy of Canton to acknowledge his Authority—Insulting Conduct of the Chinese—Lord Napier passes the Forts of the Boca Tigris to Whampoa, and the British Frigates are fired upon by the Batteries—Lord Napier returns to Macao, and dies there—Mr. Davis succeeds his Lordship as Chief Superintendent—Sir George Robinson succeeds Mr. Davis—Tranquillity during* 1835 *and* 1836—*Opening of the Trade facilitates Opium Smuggling—Despatches of Mr. Davis and Captain Elliot on the Subject—Measures taken by the Government at Pekin—Advice and Fate of Heunatse, a Mandarin Councillor—Increase of Opium-Traffic—Arrival of H.M.S.* Wellesley—*Difficulty from refusal of Captain Elliot to use the character* Pin—*British Boat fired upon from the Boca Tigris—Sir F. Maitland demands and obtains Satisfaction from the Chinese—Seizure of Opium in Canton—Arrival of the High Commissioner Lin—Opium Smuggler strangled at Canton—Edict of Commissioner Lin—Captain Elliot proceeds to Canton—Case of Mr. Dent—European Factories closely blockaded—Surrender of Opium in hands of the British by Captain Elliot to the Chinese Authorities—Chinese Peasant killed in an Affray at Macao—Demand made by Lin for delivery up of the Homicide—Attack by Chinese War Junks on the Black Joke—Captain Elliot leaves Macao for Hong Kong—Edict of Lin against importation of British Goods—Petition of Captain Elliot, and answer of Lin—Case of the ship* Thomas Coutts—*Hostilities commence—The British Frigates* Volage *and* Hyacinth *engage twenty-nine War Junks, and compel them to retire with loss—Determination of British Government to send a Hostile Expedition to China—Appointment of Admiral Elliot to the command of the China Fleet—Edict issued from Canton—Rendezvous of the British Squadron at Singapore—Attempt of the Chinese to destroy the English with Poisoned Tea, also to burn the British Vessels with Fire-Ships—Blockade of Port of Canton proclaimed by Sir Gordon Bremer—He sails to the North, and is followed by Admiral Elliot—Edicts issued from Canton—Capture of Chusan by the British Armament.*

IN our last volume we briefly alluded to the important event which occurred last year at Canton, namely, the delivery by captain Elliot, the chief superintendant, of all the opium in the possession of British traders, and the critical position of affairs in China, at the

same time promising to enter more at length, in the present volume, into the history of our intercourse with the authorities at Canton since the arrival of the British chief commissioner, in 1834. We proceed accordingly to lay before the reader a statement of the occurrences since that period, in the order in which they took place; and, that the chain of narration may not be broken, we have thought it advisable to repeat here the account given in our last volume of the surrender of the opium-chests to the Chinese authorities, at the requisition of commissioner Lin. Since that period our relations towards China have assumed a very different character, and we can speak to them not as merchants petitioning for commercial privileges, but as conquerors dictating terms of fair and honourable reciprocity.

In the year 1833 a bill was carried through parliament by Mr. Grant (now lord Glenelg), president of the India Board, by which it was enacted "that it should be lawful for his majesty, by commission under his royal sign-manual, to appoint not exceeding three superintendents of the trade of his majesty's subjects with China, and to give to such superintendents certain powers and authorities." The East India Company were not only deprived of their exclusive right of trading with China, but of the right of trading at all, in common with the rest of the king's subjects; and, as the operation of the Act was to be immediate, their commercial property and shipping were sold at a great loss.

The first chief commissioner appointed was lord Napier, who arrived at Macao on the 15th of July, 1834. This was the first intimation that the Canton authorities had of the appointment. Indeed lord Napier's instructions were, "Your lordship will announce your arrival at Canton by letter to the viceroy." Mr. Davis,* who had for some time been at Macao, had been named in the commission as second in authority to lord Napier, and he accepted the office temporarily, intending to return home the same year. Sir George Robinson undertook the provisional office of third superintendent until his majesty's pleasure could be known.

On the 23rd July the commission embarked on board H.M. ship Andromache, and proceeded to the anchorage at Chuenpee, below the batteries at the Boca Tigris. At noon on the following day the superintendents left his majesty's ship, and proceeded on board the cutter on their way to Canton, where they arrived at two o'clock on the morning of the 25th.

Lord Napier addressed a letter from himself to the viceroy, announcing his arrival, according to his instructions; and when this had been translated by Dr. Morrison, the Chinese secretary to the commission, it was despatched to the usual place of delivery, near one of the city gates. Under a variety of pretexts, grounded principally on the wording of the address, the mandarins at the station declined to receive the letter, the real object of the government being to oblige lord Napier to quit Canton until the emperor's permission for his residence had been obtained.

Much delay now took place, and,

* We are indebted to this gentleman's able and interesting work on China for much of the narrative contained in the present chapter.

because lord Napier did not come before the Chinese authorities in the supplicatory attitude of a petitioner, the Hong merchants threatened a stoppage of the trade. Towards the end of August, the viceroy having refused to recognise lord Napier's letter of announcement, and declined every subsequent offer of direct communication, that nobleman took the first opportunity of sending despatches to the Foreign-office, and requesting further instructions. His situation was unsatisfactory and embarrassing.

It appeared that the Chinese, not contented with their earlier acts of annoyance and indignity—whether of a personal nature, as the unnecessary breaking open of lord Napier's baggage when the keys were at hand, and the seizure of the purveyors of provisions, or the more serious and public injury inflicted by the stoppage of the trade—had been emboldened to proceed so far as to beset his lordship's residence with soldiers, to drive away his native servants, and to cut off the supply of provisions. Under these circumstances, accompanied by the denial to sanction or make good any transactions involving British property subsequent to the 16th August, the right honourable the chief superintendent deemed it necessary, on the 5th September, to send for a guard of marines, and to request the senior officer of H. M. ships to proceed with the Imogene and Andromache to the anchorage of the trade at Whampoa.

Early on the morning of the 7th September the frigates passed the batteries at the Boca Tigris, in working up against a northerly wind; but, under every disadvantage, silenced the fire which was opened on them, with only one man hurt by a splinter, and a few ropes shot away. The wind then failed, and the ships came to an anchor against the ebb-tide below Tiger Island Fort. Here they lay in a dead calm until the 9th, when a breeze sprung up, and they weighed to pass Tiger Island. The battery opened its best fire on the frigates, but they passed within pistol shot, knocking the stones about the ears of the garrison, though with the loss of a man killed in each ship, and a few wounded. Baffling calms again retarded the progress of the frigates, which did not reach Whampoa anchorage until late on the 11th September. The local government of Canton then agreed that trade should be re-opened, provided the chief commissioner would retire from Whampoa to Macao.

Lord Napier's health was in a precarious state, and, having embarked in a chop-boat for Macao, on the 21st September, he found his illness much aggravated by the heat of the weather and the delay and annoyances experienced on the passage down. Unhappily he became worse on his arrival, and, notwithstanding the care of his family (who had accompanied him to China), and his medical attendants, he sunk under the accumulated weight of anxiety and disease, and died a few weeks after reaching Macao.

Mr. Davis succeeded his lordship as chief commissioner or superintendent, and he appointed captain Elliot, R.N., secretary to the commission.

Two edicts were in the meanwhile issued by the Chinese viceroy, in which the English merchants were called upon to elect a temporary Taepan, or commercial

chief, to control the English shipping, and prevent the smuggling at Lintin, where nearly forty vessels were now anchored. They were, besides, directed to write home for a Taepan, who was to be a merchant, and not a king's officer,—the object of course being to keep the control of the English in the hands of the Hong merchants. No notice whatever was taken of these edicts, as it was clear that the embarrassment which must result to the local government from the want of some authority to address themselves to, would in time oblige them to recognise the king's commission. This opinion has been completely sanctioned by the event, a direct correspondence with the officers of government having been long since established by captain Elliot.

In January, 1835, Mr. Davis embarked for England, leaving sir George Robinson as his successor; and captain Elliot also became a member of the commission, according to the tenor of the instructions from the Foreign-office. For the space of two years from that date, during 1835 and 1836, public affairs remained in a state of uninterrupted quiet, under the charge of sir George Robinson, who strictly adhered to the principle that no advances should be made towards negotiation but such as were dictated from England. But throughout the whole of this time no additional instructions or powers arrived from the Foreign-office, a fact which was severely commented upon in the debate which took place this year in the house of commons on Chinese affairs, and which we have given at length in an earlier part of this volume. There can be no doubt that the opening of the trade in 1834 gave an immediate stimulus to smuggling of all kinds, at the expense of the fair trade. In forwarding to the secretary of state one of those edicts against opium, which until then had been regarded as mere waste paper, Mr. Davis observed, "It remains now to be seen whether the native government, having its attention at length awakened by the increased amount of smuggling transactions consequent on the open trade of this season, will endeavour to give greater efficacy to its edicts, and oppose some effectual impediment to the contraband commerce of Lintin." Just four years afterwards, captain Elliot, who had succeeded to sir George Robinson, wrote thus:—"There seems, my lord, no longer any room to doubt that the court has finally determined to suppress, or more probably most extensively to check, the opium-trade. The immense, and, it must be said, the most unfortunate increase of the supply during the last four years, the rapid growth of the east coast trade in opium, and the continued drain of the silver, have no doubt greatly alarmed the government."

The government at Pekin now began to take into serious consideration the best mode of dealing with this contraband traffic, and various plans were proposed to them by its advisers. One mandarin named Heunatse, was unlucky enough to propose that the importation of opium should be legalized, and that it should be admitted like other goods on payment of a duty of about seven dollars a chest. But the government of the "great pure dynasty" treated this as an immoral and wicked suggestion, and the unfortunate mandarin was banished to Tartary for offering such advice;

and the determination of the emperor to put down the opium traffic, was more loudly announced than ever.

The more rigid enforcement of the laws on the smugglers at Lintin, and the other long established haunts at the outside of the Canton river, had driven the trade into new channels. A great increase took place in the smuggling on the east coast; but the most dangerous result was the growing importation within the river, and as far as Whampoa, by Europeans themselves in their own boats. In this captain Elliot very early foresaw that the authorities would be driven to some violent measure, in order to avert which he addressed a memorandum in November, 1837, to the government at home, recommending a special commissioner to be sent to Chusan, or some other principal point on the coast, away from the influence of the Canton mandarins, for the adjustment of this perilous business. The government, in reply, declined taking any steps of the kind at present.

On the 12th of July, 1838, H. M. S. *Wellesley*, with admiral sir Frederick Maitland on board, arrived in China accompanied by H. M. brig *Algerine*, and the British superintendent immediately joined the admiral, and proceeded with him to the anchorage of Tongboo Bay, about seven leagues south of the Boca Tigris. An edict soon arrived from the viceroy, in the old form, addressed to the Hong merchants, and forwarded by them. This document was returned unopened, with a message that the strict orders of her majesty's government made such a mode of communication impossible. Captain Elliot then proceeded to Canton, and forwarded to the city gates an open paper for transmission to the governor by a mandarin. The paper was left open with a view to obviate the difficulty about the use of the character *pin* —a petition. It was conveyed to the viceroy, but the merchants returned it with a remark from his excellency that he could not take it unless it bore the character *pin*. Captain Elliot then declared that he had formerly offered to set forth the peaceful purposes of the admiral's visit, and, if the viceroy did not think fit to accept these explanations, his business at Canton was concluded, and he should forthwith retire. A British boat, meanwhile, passing the Boca Tigris, was fired upon by the forts. Sir Frederick Maitland upon this proceeded forthwith with the vessels under his command to the Boca Tigris, to demand a formal disavowal of such an insult. The result was the mission of a mandarin captain of war-junks to wait on the British admiral on board the Wellesley, and as every satisfaction was given on the part of the Chinese, sir Frederick Maitland returned to his former anchorage, and soon afterwards sailed away.

The next thing that happened was the seizure of opium at Canton, the property of a British trader and immediately in front of his dwelling. This individual and the ship from which the opium came were ordered out of the river within a given time, and the Hong merchant who secured the ship and cargo though perfectly innocent of the act of smuggling, underwent the severe punishment of the cangue or wooden collar.

In January, 1839, a proclamation was issued by the local go-

vernment of Canton and addressed to all foreigners—in which was announced the approach of a special imperial commissioner having the summary powers of a Kin-chae—to put a stop to the opium-traffic—and it was required that the receiving ships on the outside should be all sent away under the penalty of hostile measures. The arrival of this high commissioner (whose name was Lin), was immediately preceded by a native opium-smuggler being suddenly brought down into the square before the foreign factories, accompanied by a considerable force of troops and there publicly strangled. All the European flags at Canton were hauled down—and no attention was paid to any remonstrances on the subject. On his arrival commissioner Lin immediately issued an edict directly to the foreigners, demanding that every particle of opium on board the ships should be delivered to the government, in order to its being burned and destroyed. At the same time a bond was required, in the foreign and Chinese languages, that "the ships should hereafter never again dare to bring opium; and that, should any be brought, the goods should be forfeited, and the parties suffer death; moreover, that such punishment would be willingly submitted to." He plainly threatened that, if his requisitions were not complied with, the foreigners would be overwhelmed by numbers, and sacrificed; but at the same time made some vague promises of reward to such as obeyed.

Captain Elliot at once proceeded in spite of all obstacles and dangers to the factories at Canton—and there found that commissioner Lin obstinately demanded that Mr. Dent one of the most respectable of the English merchants, should proceed into the city and appear before his tribunal. Captain Elliot immediately signified his readiness to let Mr. Dent go into the city with himself, upon the distinct stipulation under the commissioner's seal, that he was never to be moved out of his sight; on the same night the native servants were taken away and the supplies cut off—and an arc of boats was formed filled with armed men, the extremes of which touched the east and west banks of the river in front of the factories. The square between and the rear were occupied in strong force, and in fact the factories were in a state of strict blockade.

Under these circumstances the chief superintendent issued a circular to his countrymen, requiring the surrender into his hands of all the English opium actually on the coast of China at that date. This he did, no doubt, under the impression that such a step was necessary to prevent loss of life, for matters now wore a very serious aspect at Canton.

On the 3rd April, it was agreed that the deputy superintendent should proceed down the river with the mandarins and Hong merchants, and deliver over to the commissioner 20,283 chests of opium from the ships, which were assembled for that purpose below the Boca Tigris. The imprisonment and blockade, in the meanwhile remained undiminished at Canton, and attempts were made to extort from the foreigners the bond, by which their lives and property would have been placed at the disposal of the Chinese government. This, however, was avoided.

It was not before the 4th May, when all the opium had been de-

livered, that the state of imprisonment and blockade ceased at Canton. Leave was then given for all to quit except sixteen individuals, who ultimately took their departure, under an edict from the government never to return. Frequent rumours in the meanwhile reached Canton of commissioner Lin's aggressive intention towards Macao. The Portuguese had taken advantage of the proceedings within the river to embark their opium and send it to Manilla; but the commissioner insisted on the delivery of a certain quantity, under the threat of occupying the forts with Chinese troops. Captain Elliot took the first opportunity to write to lord Auckland, governor-general of India, detailing that "course of violence and spoliation which had broken up the foundations" (to use his own words) "of this great trade, as far as Canton is concerned, perhaps for ever." He at the same time applied for as many ships of war and armed vessels, for the protection of life and property, as could be detached from the Indian station.

In the month of August 1839, an affray took place at Macao, between some English sailors and Chinese villagers, in which, unfortunately, one of the latter was killed. Commissioner Lin immediately demanded of Captain Elliot that the homicide should be delivered up, in order that he might be put to death. This was of course refused, and Lin, in consequence, issued an edict, prohibiting any provisions, or other articles, being supplied to the British at Macao. Captain Elliot then gave public notice to the latter, that he intended to leave Macao for Hong-Kong on the 23d, and invited all who wished to quit that place, to accompany him on board. Before this, however, a British passage schooner, called the Black Joke, while on her way from Macao to Hong-Kong, was attacked by several Chinese junks, and boarded, when several of the Lascars, who manned the Black Joke were cut down, and thrown overboard—and Mr. Moss, a young Englishman who happened to be on board, was most barbarously maltreated. Happily, however, another British schooner came up at the critical moment, and the Chinese made off in their boats. On the 23d, the chief superintendant left Macao, and took up his residence at Hong-Kong, off which lay the Volage frigate, commanded by captain Smith.

At the latter end of the year, Lin, "imperial high commissioner, and Tang, viceroy of Wantung, &c." issued an edict against the importation of any British goods, in which he prohibited the transhipment of them into any other foreign vessel, for the purpose of being conveyed into Canton, and ordaining that a bond should be required from any such vessel entering the port, certifying that it did not contain any British property on board, and consenting to the confiscation of the ship and cargo, should any such be discovered there; and in order to show that he was not to be deceived in this matter, Lin concluded his edict thus—"We, the high commissioner and viceroy, are at no loss for skilful translators and interpreters, so that it will be still more easy for us to ascertain the country whence they come.

"Let, then, every foreign merchant beware! do not for a trifling advantage lose a much more important object, thus involving

yourselves in the same unpleasant consequences!"

In this unpleasant state of affairs captain Elliot did not think it unbecoming his office to send a petition to commissioner Lin, in which he used language of almost supplicatory entreaty for the restoration of the trade with Canton as before—until he received further advice from England. He thus expressed himself to the Chinese functionary—"England having already enjoyed commercial intercourse with the heavenly dynasty for about 200 years, all that I now beg at this time is, the continuance of our legal commerce as of old, and that everything be done in respectful submission to the statutes of the great pure dynasty, while at the same time the laws of my native country be not opposed, thus causing that both may exist and remain together."

To this the high commissioner replied by a lofty refusal, written in the usual expostulatory style in which he enumerated all the offences of which, in the eyes of the "great pure dynasty," the British had been guilty—and declaring that, until the murderer of the Chinese was given up, there could be no intercourse allowed between the two nations, The termination of Lin's answer is dignified and condescending—"Having already closed the port against you, properly speaking, we ought to hold no further communication with you, but seeing that you have addressed a duly prepared petition, begging and praying for certain favours, we, out of pure indulgence, now take up the reason of our conduct, and, with the utmost clearness, make the same known unto you, causing at the same time, that all the people of your country, as well as yourself, may equally and alike know the cause why that this port is now shut against them,"

Notwithstanding, however, this peremptory manifesto, a temporary adjustment of the matters in difference so far took place, that commissioner Lin permitted the commerce of Great Britain to be carried on below the Boca Tigris until further instructions should be received from England. The British subjects were accordingly about to proceed to Macao, and the ships to Chuenpee, in order to deliver their cargoes, when an untoward event took place, which rendered the aspect of affairs more unpromising than ever. The high commissioner still insisted that the captains of all vessels which traded with Canton, should sign the required bond, in which it was stipulated, that any infraction of the rules laid down with regard to the opium trade, should be punished according to the Chinese law, and which, in fact, amounted to this, that the offenders should be liable to capital punishment, at the discretion of Chinese mandarins. The following account of what soon happened, is taken from a despatch sent by captain Elliot to the foreign office, and dated the 5th of November.—"A different and unhappy turn of affairs has been brought about, and I am grieved to report, that this serious public mischief is attributable to the conduct of a British subject, Mr. Warner, master of the ship *Thomas Coutts*. Upon his arrival from Singapore, Mr. Warner did not repair to Hong-Kong, but demanded his pilot, and proceeded to the Boca Tigris, signed the required bond of consent to the new laws, involving the infliction of

capital punishment by Chinese forms of trial, and the ship was immediately carried up to Whampoa." A committee of British merchants had previously stated their apprehension, "that the circumstance of one English ship, the *Thomas Coutts*, captain Warner, having actually proceeded inside the Bogue, in violation of the injunctions of her majesty's chief superintendant; and the fact of the captain having signed the bond required by the Chinese government, might occasion delays and difficulties in the proposed trade outside, which would never have arisen had all the English remained firm as they had hitherto done."

The consequence was, that commissioner Lin determined to break off the arrangement which had been already concluded, and demanded that the whole British shipping should enter only on the same terms as the *Thomas Coutts*, or depart within three days, under menaces of destruction if they remained. But matters soon proceeded to extremities, and the inhabitants of the Celestial Empire received another lesson from British artillery; the first having been taught them when we forced the passage of the Boca Tigris in 1834. Finding that the Chinese were preparing to attack the fleet, and that admiral Kwan lay in considerable force near Chuenpee, the chief superintendent recommended to captain Smith the immediate removal of the Volage and Hyacinth (another English frigate) to that neighbourhood, and prepared a moderate but firm address to the high commissioner Lin. Captain Elliot himself went on board the Volage frigate on the 28th of October, which took up her station on the 2nd of November, not far below the first battery, where an imposing force of war-junks and fire-vessels was collected. On the 3d the Chinese squadron, in number twenty-nine sail, broke ground, and anchored close to the British vessels, while a short correspondence took place, in which the Chinese peremptorily demanded the delivering of an Englishman, and refused to retire. Captain Smith now resolved to compel them to return to their former anchorage, and desist from their menacing attitude. At noon, therefore, the signal was made to engage, and the ships then lying hove to at the extreme end of the Chinese line, bore away a-head in close order, having the wind on the starboard beam. In this way, and under easy sail, they ran down the Chinese line, pouring in a destructive fire. The lateral direction of the wind enabled the ships to perform the same evolution from the other extreme of the line, running up again with their larboard broadsides bearing. The Chinese answered with much spirit, but the terrible effect of the English fire was soon manifest. One war-junk blew up at pistol-shot distance from the Volage, three were sunk, and several others water-logged. In less than three quarters of an hour admiral Kwan and his squadron retired in great distress to their former anchorage, and captain Smith offered no obstruction to their retreat. It is to be feared, however, that this clemency was thrown away upon the Chinese, who have no conception of the true principles of such forbearance, and subsequent facts show that they actually claimed the victory. This they, perhaps, founded on the circumstance of her majesty's ships making sail for Macao, for the purpose of covering

the embarkation of the English who might see fit to retire from that place, and of providing for the safety of the merchant ships. On the 4th November, the Volage joined the fleet at Hong Kong, and the Hyacinth was left at Macao, to watch events in that quarter.

It was, now, however, necessary to give the Chinese a still more convincing proof of their error in supposing that their country was unassailable, and themselves the only invincible people on the earth. The English government determined to send an expedition into the Chinese seas, which should be sufficient to attain all the ends we had in view, and compel the "great, pure dynasty" to acknowledge the principles of international law, which have been adopted, and are acted upon by the civilised nations of the world. Admiral Elliot, who was then at the Cape, received his appointment to the command of the China fleet in the month of March in this year, and the most vigorous preparations were made by lord Auckland, the governor-general of India, to fit out and dispatch the expedition destined for China. Commodore sir J. J. Gordon Bremer, C.B., was next in command to admiral Elliot, and major-general Burrell had the command of the military force.

Just at this time (in March) an edict was issued from Canton, warning all foreign vessels from anchoring near the devoted English ships, lest they, too, should be involved in the common destruction preparing for the latter, "which," says the edict, "might lead to the gem being consumed with the common stone."

"If, after the issuing of this edict, such foreigners do not speedily know how to shun bad company, but still foolishly remain in a position of danger—if they will cast anchor near the English shipping, then this will show that they have a desire to scheme after the profit arising from conveying and selling goods for the English, and supposing that through the unforeseen accidents attending wind and water, these should also be burnt, will it not be they who have brought the evil upon themselves? What will be the use of their after repentance?"

The armament intended for the Chinese waters arrived at its place of rendezvous at Singapore in the month of April, and consisted of the following ships:— H.M.S. Wellesley, 74; Conway, 28; Alligator, 28; Larne, 20; Algerine, 10; Cruiser, 16; Rattlesnake, troop ship; Madagascar, (E. I. Company's armed steamer), and a number of transports, with two steamers, the Queen and Atalanta. Besides these there were already in the Canton river H.M.S. Druid, 44; Volage, 28; and Hyacinth, 28.

The first arrival of this armament was her majesty's ship, Alligator, captain Kuper, between two and three o'clock, A.M., on the 9th of June, in the Capsingmoon, at the very moment that the Chinese officers had sent in about eighteen fire-rafts, constructed of old outside fishing-boats and some cargo boats, chained together two and two, and filled with combustible matter of all descriptions, to burn the British shipping.

Previous to this, the Chinese authorities at Canton had sent a boat-load of poisoned tea, packed in small parcels, to be sold to the English sailors, but the boat happened to be captured by Chinese

pirates, and her cargo was sold by them to their countrymen, many of whom died in consequence, and thus the nefarious attempt was frustrated. At the same time a proclamation was issued, offering rewards, proportioned on a certain scale, to all who should destroy the English. This document commenced by stating, that whoever should be able to capture an English man-of-war, carrying 80 great guns, and deliver the same to the mandarins, should receive the reward of 20,000 Spanish dollars. For taking alive a foreign "mandarin," or officer, if a man-of-war's chief officer, the reward was 5,000 Spanish dollars, and so on in proportion, and "for killing foreign mandarins or officers, substantial evidence being produced of the same, one-third of the proportioned reward for taking such alive shall be awarded!"

The attempt to burn the British shipping happily failed, but we extract from the Canton Register the following account of the abortive enterprise on the part of the Chinese.

"The first alarm was given about two A.M., on Tuesday, the 9th of June. A noise was heard from amongst the small Chinese boats inshore. It appeared, on subsequent inquiry, that some mandarin boats had got in amongst them for the purpose of making captures. They attacked the cutter, Devil, and wounded the Lascars on board. Immediately after distant lights appeared in the direction of the passage of the Capsingmoon, called the Flood Gates; and the commanding officer of the Danish king fired a gun, and hoisted the signal previously ordered by the senior officer of her majesty's ships for fire-rafts; and instantly almost the fire burst forth from at least fifteen fire-boats; the appearance was very beautiful. The wind and tide were then favourable for their course. As they approached they blew up like some beautiful works, what in English pyrotechnical science would be called a flower pot. The beauties of the sight, however, did not dissipate the alarm felt by those on board the ships, who were also fearful there might be other crafty schemes in progress, and that they might be attacked from other quarters; consequently, most of the ships slipped their cables and moved out of danger, each more anxious than his neighbour to get into the rear. The scene and danger caused great excitement; the night was very dark, the wind slackened, and so many vessels being under weigh at once in a small space, caused great confusion, and many consequently came in contact, but we have not heard of any serious damage.

"The boats of the squadron were actively employed towing the rafts clear of the shipping, and anchoring others.

"The junks were first turned adrift chained together two and two; nine of these rafts were counted, which gives eighteen boats. But it was ascertained that some had not ignited, and some had exploded, the wrecks being seen floating about the bay the next morning.

"On examination, the fire-rafts were found to be constructed of what had been very old outside fishing boats; what remains of them will supply the fleet with firewood for a month. They were full of dross, the remains of the combustible matter."

Sir J. J. Gordon Bremer no sooner arrived on the Canton wa-

ters, on board the Wellesley, than he, on the 22nd of June, gave public notice, that on and after the 28th instant, a blockade of the river and port of Canton would be established, and that the anchorages of rendezvous for such British and foreign merchant ships as should resort to the coast of China in ignorance of the blockade, should be Capsingmoon and the Macao roads. The commodore, however, did not remain himself at the mouth of the Canton river, but sailed northward in the direction of Chusan, with the Wellesley, 74; Conway, 28; Volage, 28; Larne, 20; Cruiser, 16; Alligator, 28; Algerine, 18; Hebe, (a small schooner), and the East India Company's steam-vessels, the Queen, Atalanta, and Madagascar, and a number of transports. Admiral Elliot arrived at Macao in the Melville, 74, on the 28th of June, and having taken captain Elliot on board, immediately followed sir Gordon Bremer by steering to the north.

The crisis was now at hand, and the Chinese authorities bestirred themselves vigorously to meet the exigency by such means as they, in their simplicity, fancied would be sufficient to drive away the "barbarian eye" from their shores.

On the 2d of July a proclamation was issued by the Keangshanheen or chief magistrate of the district of Keangshan, to whom the Chinese authorities of Macao are subordinate, in which the people were called upon to unite heart and hand with the government in opposing the barbarians; and all Chinese vessels were forbidden to proceed seaward, except such as were laden with combustibles wherewith to destroy the English vessels. "Fishermen and other seafaring people are called on to go out and destroy foreign vessels, and whilst thus engaged are promised that their families will be housed, clothed, and fed in the public offices and at the public expense, and, says his excellency Lin, they will be entitled to even higher rewards than have already been offered them in a former proclamation. The people are again told that rewards will be given them for killing Englishmen, but they are cautioned not to mistake such for Portuguese or individuals of any other nation than English, as such mistake will be punished according to the existing laws against murder. The proof required of having destroyed a ship is the board with her name; that of having killed an Englishman, his head; either of which, on being delivered to any district magistrate, will entitle the bearer to receive the promised reward. Englishmen sailing or pulling in small schooners or boats are ordered to be attacked and exterminated. Honours, rewards, and happiness will be the lot of him who kills an Englishman."

A few days afterwards all the Hong merchants were sent for into the city of Canton by the governor, and they, when they returned, represented him as highly incensed at what had taken place, and recommended all foreigners of every nation forthwith to quit Canton.

But the progress of events outstripped Chinese diligence and precaution. On Sunday the 5th of July Chusan, which is an island (the name, however, applies to a small group) lying off the coast in latitude 31° north, fell into the hands of the English, and British cannon for the first time wrested

from his Celestial majesty a portion of his dominions. The intelligence of this important event was conveyed in a despatch sent to lord Auckland by major-general Burrell, commander of the military force in the Chinese seas. The following is a brief account of this successful enterprize. On the 4th of July her majesty's ship Wellesley, Conway and Alligator, with the troopship Rattlesnake, and two transports, arrived in the anchorage of Chusan harbour, the ships of war taking up a position in front of a hill, upon which there was a large temple or joss house. In the evening a summons was sent to the admiral, who was also governor of the group of islands, calling upon him to surrender Chusan, and thus avoid unnecessary bloodshed. The officers bearing the summons returned with the Chinese admiral to the Wellesley, accompanied by two mandarins, and, although they acknowledged their incapacity to resist, they attempted by evasion and requests to obtain time, and left the ship without any satisfactory result, but perfectly understanding that if submission was not made before daylight next day, hostilities must commence.

On the morning of the 5th, the hill and shore were crowded with a large body of troops, and from the mastheads of the ships the city was seen at the distance of a mile from the beach, the walls of which were also lined with troops. On the Temple-hill, the landing place or wharf, and a round tower adjacent, there were twenty-four guns of small calibre, independent of a number of war junks, and from their proceedings it appeared that resistance was to be offered. Major general Burrell then determined to land his troops, which was accordingly effected in boats in two divisions. A fire was now opened from the batteries on shore and war-junks, but this was soon silenced by broadsides from the British ships of war. The troops took possession of the hill which was distant from the city of Ting-hae-heen, about 1,500 yards. The walls of this were in a dilapidated state, but surrounded on three sides by a deep canal of about twenty-five feet wide, and a continued flat of inundated boggy land.

The troops were then placed in position, and a fire was opened upon them from the walls of the city, which was kept up at intervals till near midnight; but this did no execution whatever on the attacking force. Early on the morning of the 6th, ten guns were got into position within 400 yards of the walls, and at the first dawn of day the flags were seen on the walls as they were on the preceding evening; but as no sound was heard, and not a soul was to be seen, the British began to suspect that the city had been evacuated, and a party was sent forward to reconnoitre as closely as possible. This party scaled the wall by means of a ladder found amongst the buildings outside. One or two unarmed Chinese, who appeared above the gate, hung a placard over the wall, on which was inscribed, "*Save us for the sake of our wives and children.*" A company of the 49th took possession of the principal gate of the city, upon which the British flag was hoisted.

The city of Ting-hae-heen is extensive, the walls being about six miles in circumference; they are built of granite and brick of inferior quality, and, with the ex-

ception of a hill, where the defences are unusually high, there is a deep ditch or canal about twenty-five feet wide carried round the wall at the distance of a few yards. There are numerous bastions in the works, and with good troops, the city would be capable of making a good defence.

After taking possession of Chusan, our troops misconducted themselves by drinking too freely of a spirit distilled from rice, and committed several acts of insubordination. Provisions were found to be scarce, and the climate unhealthy. But as we have already devoted a considerable space to Chinese affairs in this volume, we shall reserve the continuation of our narrative for the next.

CHRONICLE.

CHRONICLE.

DECEMBER—1839.

24. LANDSLIP IN DORSETSHIRE.—On Christmas-eve, about six o'clock, the residents in the houses and cottages along the coast between Lyme and Seaton were alarmed by a convulsion of the earth, attended with fearful sounds. This astounding occurrence was succeeded by reiterations of the phenomena, and it was soon ascertained that a course of mischief was in serious operation. On arriving at a part of the coast called Dowlands, a quarter of a mile from the sea, it was found that a large portion of land, on which there were several cottages, orchards, and a coppice, had been separated from their sites, leaving huge chasms in a lateral direction along the coast between Sidmouth and Seaton to the extent of upwards of four miles. The convulsions of the earth continued at various intervals from the night of Tuesday the 24th, to Friday evening, the 27th, having within that interval occasioned the prostration and subsidence of buildings of various descriptions, and the displacement of large tracts of soil, a loss of property to a considerable extent, among the sufferers by which is Mrs. Inman, a respectable resident of Bishop's Hull, near this town, whose loss is estimated at upwards of 2,000*l*. Mr. Hallett, of Axmouth, and Mrs. Dare also suffered heavily by the event. A huge rock fifty feet high appears in the sea off Culverhole, nearly a quarter of a mile from the spot where the principal scene of mischief presents itself. The soundings were being taken around the newly-formed rock on Saturday. No lives were lost by this event, although several of the occupants of cottages, who had left home to spend their Christmas-eve, found to their great astonishment, on their return, no other vestiges of their dwellings but those presented by the roofs and chimnies discernible above the chasms in which their habitations were ingulfed. The new road from Charmouth to Lyme is utterly destroyed. Whether the occurrence above stated be attributable to an earthquake, or considered as the result of the slow-working processes of nature, which, as foreseen by naturalists, and asserted by Mr. Buckingham in his lectures in the town of Lyme a few years ago, will gradually encroach upon the shores of the Channel, as has already unquestionably taken place elsewhere on the British coast, is at present problematical. The visitation, to

whatever cause it may be referred, beside the destruction of property, has occasioned great alarm and anxiety among the owners of buildings and estates in the vicinity. Multitudes of persons from all parts have been for several days past rushing into Lyme, Seaton, and Charmouth, eager to ascertain the nature and extent of the catastrophe. The total loss of property is estimated at 6,000*l*. Mr. Chappel, the renter of the estate called Gowlands, upon which four of the destroyed cottages stood, succeeded by great exertions on Wednesday in saving the lives of twenty-eight of the poor occupiers, and having employed nine carts, secured most of their furniture. On the following morning the cottages had sunk up to their roofs. The cliffs on the coast do not appear to have suffered any disruption, all the mischief being inland.

1840.

JANUARY.

6. Effects of Chartism.—An inquest was held on Monday, the 6th inst., before Mr. W. Morgan, of Bridgend, coroner, on the body of Mary Davis, the wife of a highly respectable farmer in the neighbourhood of Langenior, who had committed suicide in the following extraordinary manner, according to the evidence adduced:—It appeared, that about a month previous to the late Newport riots, a strange man had called at the farmhouse, which is situate amongst the hills, in a retired situation, with a paper, in which he stated, unless she and all her family would sign to become Chartists, they would rise in a month and take her and all away, and murder them. The man soon left, and on the husband's return he and his sons were informed of the circumstance, and the deceased appeared to suffer considerably in her mind, and after the breaking out of the Newport riots she frequently exclaimed that the man's words had become true, and often urged her husband to leave all and quit the place lest the Chartists should come and carry him and her sons away. She continued to be flighty and wild till Thursday last, the 2nd inst., when her husband, who was engaged with a butcher in killing a pig, was called to by one of his daughters, stating that she could not get her mother to come from her bed-room, although she had been down and breakfasted. The husband went up and found the deceased on her knees in the act of praying by her bedside. He observed some blood near her, but knowing that she had been naturally afflicted with hæmorrhage, he thought it was from that cause, and induced her to go to bed, leaving his daughter with her, who shortly afterwards came to him, and stated that she had found a knife near where the deceased had been kneeling covered with blood, when he told her that he was afraid she had been using a knife against herself, but she returned no answer. A medical man was sent for, when it was found that she had inflicted a wound on her abdomen extending five inches in length, so that the intestines protruded. She lingered till twelve o'clock on Friday, when she died, and about half an hour before her death she stated that her mind had been bewildered about the Chartists, and that she was tired of the world, and wanted

to go to God out of the way. Verdict—"Suicide whilst in a state of insanity." No clue could be had to the villain who had called upon the woman.

8. Melancholy Accident on the Ice in St. James's Park.—In St. James's Park, an accident of a most melancholy nature, in which four lives have been lost, occurred to-day shortly before dark. About four o'clock, at a time when the ornamental water was much crowded by skaters and youths sliding, a loud outcry was heard proceeding from the part adjacent to the large island nearly facing the Horse Guards, whither the icemen belonging to the Royal Humane Society instantly proceeded, and on their reaching it they found that two youths had by a breakage in the ice become immersed, and that two other youths, seeing their perilous situation, had rushed to their assistance, one having first thrown off his jacket, and that the whole had sunk. There is no doubt that, if not the whole, some of the unfortunate sufferers might have been saved, had the gate of the bridge leading to the island not been locked, but some minutes elapsed before Whitlock, the iceman nearest the spot, could get the key, and the attempt to run the iceboat there was found to be fruitless, the ice being too fragile in many parts to bear its weight. In the interim, Bishop, No. 17, of the society's men, who was stationed on the south side, courageously plunged through the ice, having his life-preserver on, as did also Harris, No. 4, both of whom, assisted by the other icemen on ladders, &c., succeeded, in a few minutes, in getting up two of the bodies, which were instantly conveyed to a marquee belonging to the Royal Humane Society, which had been fixed nearly opposite the Stable-yard gate, where they were received by Deputy-Superintendent Winnott, and placed in blankets until the arrival of surgeons, for whom messengers had been despatched. The first that arrived came from Lower Grosvenor-place, who used the stomach-pump, and adopted the other usual means of resuscitation, but unhappily without avail. In the meantime, Bishop succeeded in getting up another of the bodies, and the fourth was about the same time got out by the police of the A division on duty in the park, who rendered most efficient aid. The former was conveyed to the marquee, and the latter to the Westminster Hospital. Both were quite dead. The melancholy occurrence, as may be supposed, created a great sensation, and the gates of the enclosure were until a late hour last evening surrounded by hundreds of persons, anxious to learn the particulars. On the body of the youth who so courageously threw off his jacket and rushed in to the rescue of the two lads under whom the ice broke, was found a letter dated from No. 45, St. James's-place, and signed "Crawford Patterson," to which address a messenger was sent, who shortly returned with Mr. Patterson, who on seeing the body, recognized it as that of his son, aged about sixteen years. The body of the other lad, who also jumped in to the rescue, has been identified, as the son of respectable persons residing near St. Martin's-lane, whose names have not transpired. The third body has been identified by Mrs. Knott, of 61, Marsham-street, Westminster, as that of her nephew, named Braith-

waite, and the body at the Westminster Hospital she likewise identified as that of her son. The feelings of the different parties on recognizing the bodies of their relatives may be better conceived than described. About eight o'clock the three bodies were removed from the marquee in shells to St. Martin's workhouse, where they await a coroner's inquest.

8. Singular Charge of Robbery.—Marylebone.—Mr. Thos. Theed, a gentleman of independent property residing at 13, Manchester-street, Manchester-square, was brought before the sitting magistrate, Mr. Codd, on the charge of having stolen forty-two sovereigns, and a union pin set with a diamond and an emerald, the property of Mr. John Warren, surgeon-dentist, 32, George-street, Hanover-square.

The prosecutor, on being sworn, said — Yesterday I had a few friends to dine with me, and amongst them was Mr. Theed, who had made me a present of a haunch of venison. After the cloth was removed, or just before, I produced a drab net purse, containing at each end twenty-one sovereigns, and at the same time a union pin. The pin was in a red morocco case, and it was handed round to the party, as was also the purse, as a trophy, both having been presented to me by a lady for professional services. After they had been inspected they were returned to me, and I wrapped them (the case and purse) in some tissue paper, from which I had in the first instance taken them, and placed the packet before me rather on my left side, but presently removed it more to my right, saying, at the same time to a gentleman, on my left, "I must take care of this as a trophy." The party consisted of seven or eight, and Mr. Theed sat next to me on my right. I had occasion to leave the head of the table twice or three times after the articles had been produced and placed by me on the table, but I did not quit the room, having merely gone to the cellaret. About half-past eight or nine we left the dinner-table and went up stairs into the drawing-room. We dined about seven o'clock. I did not then see the purse or case, nor do I recollect seeing them at all after I went to the cellaret for the first bottle of Port. There was some dancing above, and card-playing. Mr. Theed played at cards, and I did also, but at a different table. At about three o'clock, Mr. Theed and another gentleman left, and by four the remainder of the party had quitted. I then went to my bed-room, and, while undressing, it occurred to me that the purse and case had been left on the dinner-table. I went down stairs, and being unable, after a diligent search, to find them, I repaired to the house of Mr. Gear, one of the party, in Albany-street, and there found another of my friends, who was about to take a bed at his (Mr. Gear's) dwelling. I informed them of my loss, and we all three proceeded to Mr. Theed's residence. After knocking for some time at the door, Mr. Theed opened the window, saying, "Who's there!" and I told him it was Warren. This was about half-past four. In the course of a quarter of an hour Mr. Theed came down, carelessly dressed, when I told him I had lost my purse and pin, when he made the reply, "It's curious," and laughed. I remarked it was no laughing matter, and that such

things could not go without hands; and he asked me if I suspected he had stolen the things. I said, he perhaps might have taken them by way of a joke, and, if he had, that he had better give them to me, but, if he did not do so, I should consider he had taken them in earnest, He told me it was a thundering lie; but I said it was no such thing, and if he'd give them to me I'd say no more about it. He remarked that I might search his house, and on my telling him I should go for a policeman, he said he wished me to do so. I went to the Marylebone-lane station-house, leaving Mr. Theed and my two friends in the passage, Mr. Theed saying he would remain where he was till I returned. I soon afterwards went back with a serjeant and a constable, and found Mr. Theed still in the passage. On my expressing a wish that his house should be searched, he acquiesced in it, and he proceeded to his bed-room, taking the drawing-room in our way. In both apartments we made a slight search; but it was discontinued in consequence of its being candle-light, and there being but little chance of discovering anything that might be lost. I, my friends, and the police officers, came away. I afterwards went round to all the other gentlemen who had dined with me, and acquainted them with my loss, but without obtaining any information. I then considered it best to give Mr. Theed into custody, which I accordingly did at his own house.

Mr. Codd, to the prisoner.—What answer have you to make to this charge?

Prisoner.—I had a haunch of venison sent to me by lord Harborough, with whom I am intimate, and, in consequence of some civility I have received from Mr. Warren, I made him a present of it. He requested me to dine with him, which I did, and met these two gentlemen (Mr. Curtis and Mr. Gear), and three others whose names I don't know. After dinner Mr. Warren produced the pin and purse: they were handed about the table, and after various comments and joking they were wrapped up in the silver paper they were produced in, and placed before Mr. Warren on the table. There was very little wine drank after dinner, and on coffee being announced we went up stairs, and none of us stirred out of the room till I went away at past three o'clock. I and my friend, Mr. Harley, walked together, as we were going the same way, and I left him (Mr Harley) at the corner of Davies-street. On reaching home I went to bed, and was soon after awoke by a violent knocking at the door. I slipped on my clothes, and, opening the door, let Mr. Warren, Mr. Gear, and Mr. Curtis in. Mr. Warren said to me, "I have come upon an unpleasant business. I've lost my purse, which was handed about." I naturally exclaimed, "Oh, nonsense!" when he said it was no laughing matter, and that I might have taken it in a joke. I told him I detested practical jokes, especially of this kind, although Mr. Warren and I had blacked Mr. Gear's face with a cork while he was asleep on the sofa. The prisoner concluded a long statement relative to the transaction, the purport of which was, that he denied fully any knowledge whatever of the abstraction of the property, and that on his being called

upon by Mr. Warren, he begged that a strict search throughout the premises might be immediately gone into. On Mr. Warren remarking that the trousers-pocket smelt the same as the case and purse, he (prisoner) pulled from his coat-pocket a handkerchief, remarking that it had a similar perfume; notwithstanding which he was given in charge.

Mr. Curtis and the Earl of Harborough became responsible for Mr. Theed's future appearance, and Mr. Codd remanded him for a week.

Yesterday, after the disposal of the night charges, the case was again called on.

Mr. Clarkson (addressing Mr. Codd) said, I appear here, Sir, on the part of Mr. Warren, who has made all the inquiry he could since the matter was last before you without being able to produce any more evidence with regard to who is in possession of the purse of money or the pin, and, whatever may be his suspicion as to the affair, I beg to state that it would be idle to trouble you further respecting the charge, which I now withdraw, without considering it necessary to make any further observations.

The proceedings having thus terminated, Mr. Theed, after receiving the congratulations of his friends, quitted the court.

13. Tunnell through the Alps.—M Vanino Volta, the engineer of Como, who, in conjunction with M. Bruschetti, of Milan, obtained, in 1837, from the Austrian government a privilege of fifty years for the construction of a railroad between Milan and Como, is now negotiating with the Swiss cantons of Grisons and St. Gall, an enterprise which would vie in magnitude with the Thames Tunnel, viz.—the piercing through the Grisons Alps. Impressed with the commercial importance of the passage of the Splugen, and, at the same time, with the various obstacles which it presents, he thinks it possible to pierce through that mountain, and establish, in the passage thus effected, a railroad, the northern portion of which would end either at Wallenstadt or even at Schomerckon, on the Lake of Zurich, and the southern would be connected with the Como and Milan railroad. M. Volta, reckoning that thirty years will be required to execute the works, demands an exclusive privilege of 100 years, with liberty to establish companies, in order to procure funds, or to transfer his privilege to other parties.

16. Extraordinary Case of Murder.—A murder under very extraordinary circumstances, and without any assignable motive, has been perpetrated at Seend, about five miles from Devizes. The unfortunate man who was murdered was named James Heritage, a labourer of Seend. He was an orphan, about twenty-two years of age, and unmarried. Isaac Freeme, the person charged with the murder, was under-gardener to Mr. Ludlow Bruges, is between twenty and thirty years of age, and has a wife and three small children—his wife expecting shortly to be confined with the fourth. They were at the Bell Inn, at Seend, on Thursday evening; but, although they sat in the same room, they did not drink together; and they had very little conversation with each other—certainly no quarrel. Freeme left the house first (about half-past nine), and it is stated was in liquor. Upon getting out-

side the house he began to quarrel with different persons who were there, and challenged them to fight. A man named Pearce, after some hesitation, accepted his challenge, and Pearce knocked him down two or three times, and otherwise punished him. Freeme shortly went towards his home, which is on the Trowbridge-road; and at about the same time Heritage appears to have left the Bell, and to have proceeded in the same direction towards his home. Which was before the other does not appear quite clear. They, however, came up with each other in the middle of Seend-hill, and some words ensued between them. At the bottom of the hill Heritage, "dubious what Freeme would do to him," got over a stile into a field, A few yards from the stile was a gate, which was open, and Freeme by this means got into the field almost as soon as Heritage, and going up to him, knocked him down, and stabbed him in the neck. Freeme says, that Heritage struck him first; but if Heritage's dying declaration can be credited, he never struck him at all. Immediately after the deed was done, Freeme called the assistance of a neighbour; and in answer to a question from this neighbour, said —"It was I that did it—I killed him as dead as a nit!" He afterwards assisted Heritage to a stable, and then went home to his wife. On the following morning he attended his work as usual, and observed to the coachman, that he had fought with and killed a man on the night before, and expected to be taken up for it. He was apprehended during the day. Heritage lingered until Saturday evening. It is a remarkable circumstance that Heritage wore a smock-frock when he left the Bell; and that when first seen, by a neighbour, after he had been stabbed, he had neither hat nor smock-frock on, but was lying on the ground in his shirt sleeves. The smock-frock was afterwards found on the stile, and his hat on the ground. Had the frock been taken from the deceased after he had been wounded, there would unquestionably have been marks of blood upon it, as he bled profusely, and his shirt and waistcoat were covered with blood; but it bore not the slightest stain. This fact, then, would raise the presumption that the deceased had taken it off with the view of fighting Freeme, especially as Freeme's smock-frock was also lying in the road. It is certainly an extraordinary circumstance. Freeme was, no doubt, labouring under considerable irritation at the time, not only from the beer he had drunk, but also from the punishment he had received from Pearce. An inquest was held on Tuesday, when a verdict of "Wilful murder" against Freeme was returned. He was committed for trial.

—. SENTENCE OF DEATH ON FROST, WILLIAMS, AND JONES.—It being understood that sentence would be passed upon the prisoners this morning, the court was crowded as soon as the doors were opened. Previously to the judges coming into court, Frost came to the front of the bar, and entered into conversation with Mr. Stone, the counsel; with his attorney, Mr. Geach; and with Feargus O'Connor.

At nine o'clock their lordships took their seats, and Frost, Zephaniah Williams, and William Jones, were ordered to be placed at the bar. Frost's countenance por-

trayed the same calmness which characterised it during the trial; Williams appeared low and desponding; and Jones had lost that air of levity and carelessness which he had previously exhibited.

Proclamation having been made for all persons to keep silence while sentence of death was being passed upon the prisoners at the bar,

The three learned judges put on their black caps, and the chief justice addressed the prisoners in the following terms: — "John Frost, Zephaniah Williams, and William Jones,—After the most anxious and careful investigation of your respective cases before juries of great intelligence and almost unexampled patience, you stand at the bar of this court to receive the last sentence of the law for the commission of a crime which beyond all others is the most pernicious in example, and the most injurious in its consequences to the peace and happiness of human society—that of high treason against your sovereign. You can have no just ground of complaint that your several cases have not met with the most full consideration, both from the jury and the court; but as the jury have in each of them pronounced you guilty of the crime with which you have been charged, I should be wanting in justice to them if I did not openly declare, that the verdicts which they have found meet with the entire concurrence of my learned brethren and myself. In the case of all ordinary breaches of the law, the mischief of the offence does for the most part terminate with the immediate injury sustained by the individual against whom it is levelled. The man who plunders the property, or lifts his hands against the life of his neighbour, does by his guilty act inflict in that particular instance, and to that extent, a loss or injury on the sufferer or his surviving friends. But they who by armed numbers, or violence, or terror, endeavour to put down established institutions, and to introduce in their stead a new order of things, open wide the flood gates of rapine and bloodshed, destroy all security and property, and life; and do their utmost to involve a whole nation in anarchy and ruin. It has been proved in your case, that you combined together to lead from the hills at the dead hour of night into the town of Newport many thousands of men, armed in many instances with weapons of a dangerous description, in order that they might take possession of the town and supersede the lawful authority of the queen therein, as a preliminary step to a more general insurrection throughout the kingdom. It is owing to the interposition of Providence alone, that your wicked designs were frustrated; your followers arrive by daylight, and after firing upon the civil power and the queen's troops, are by the firmness of the magistrates, and the cool and determined bravery of a small band of soldiers, defeated and dispersed. What would have been the fate of the peaceable and unoffending inhabitants, if success had attended your rebellious designs, it is useless to conjecture; the invasion of a foreign foe would in all probability have been less destructive to property and life. It is for the crime of treason, committed under these circumstances, that you are now called upon yourselves to answer;

and by the penalty which you are about to suffer, you hold out a warning to all your fellow subjects, that the law of your country is strong enough to repress and to punish all attempts to alter the established order of things by insurrection and armed force, and that those who are found guilty of such treasonable attempts must expiate their crime by an ignominious death. I do, therefore, most earnestly exhort you to employ the little time that remains to you in preparing for the great change that doth await you, by sincere penitence and fervent prayer, for, although we do not fail to forward to the proper quarter that recommendation which the jury intrusted to us, we cannot hold out to you any hope of mercy on this side of the grave. And now doth nothing more remain than that the court pronounces (to all of us a most painful duty) the last sentence of the law, which is, that each of you, John Frost, Zephaniah Williams, and William Jones, be taken hence to the place whence you came, and be thence drawn on a hurdle to the place of execution, and that each of you be there hanged by the neck until you be dead, and that afterwards the head of each of you shall be severed from his body, and the body of each, divided into four quarters, shall be disposed of as her Majesty shall think fit, and may the Lord have mercy on your souls."

Frost raised his eyes during the latter part of the sentence, but the other prisoners did not show any signs of emotion. They were then removed from the bar.

Sentence of death was afterwards recorded against the other prisoners, viz., Walters, Lovell, Benfield, Rees, and Morgan—who had pleaded guilty to the charges of treason, brought against them. An account of the trials of these persons will be found in another part of our volume.

21. Imprisonment of the Sheriffs in the House of Commons.—The apartments in which the sheriffs are lodged who have lately been arrested by an order of the house of commons, (see our parliamentary report), are situated on the right hand side of the lobby, on the same floor as the house of commons, and are the rooms appropriated to the sergeant-at-arms and the chaplain. In dimensions they are about twelve feet square, and the windows look out upon Westminster Abbey. The rooms have no communication with each other, and all messages are conveyed by the officers of the house stationed at the doors and acting as sentries. These officers are on duty day and night, being relieved every twelve hours; but, notwithstanding their vigilance, the sergeant-at-arms, Sir W. Gossett, allows his prisoners every privilege consistent with his duty, and on Friday evening he permitted them to walk out, attended by two of the messengers, into the cloisters, and thence to the site of the late Speaker's residence, and so on to the embankment of the new houses of parliament fronting the river. The sheriffs usually rise about eight o'clock in the morning, and are furnished, at their own expense, with the morning papers. About ten o'clock they see the members of their families, and persons connected with their business, and about eleven o'clock they receive the visits of the nobility, gentry, and civic officers, and merchants.

Upon these occasions they are invariably attired in their court suits, and all the ceremonies of a levee, such as entering names, and leaving cards are rigidly observed. They generally dine with their select friends about six o'clock, and afterwards receive such casual visits as may be paid them up to midnight, when they retire.

27. Decision of the Judges in the Case of Frost, Williams, and Jones.—In consequence of the prisoners counsel having objected that a list of witnesses had not been delivered to their clients according to the statute (see our law report), and that their trial was therefore invalid, the case was referred for the opinion of the fifteen judges, who have arrived at the following decision.

"That the prisoner had not the list delivered according to the statute, and so that the objection was good, if made before the prisoner pleaded:"—

FOR.	AGAINST.
Littledale.	Lord Denman.
Patteson.	Lord Abinger.
Williams.	Chief Justice Tindal.
Coleridge.	Bosanquet.
Parke.	Gurney.
Erskine.	Maule.
Alderson.	
Rolfe.	
Coltman.	

"But that the objection ought to have been made before the prisoner pleaded:"—

FOR.	AGAINST.
Lord Denman.	Littledale.
Lord Abinger.	Patteson.
Chief Justice Tindal.	Williams.
Bosanquet.	Coleridge.
Gurney.	Parke.
Maule.	Erskine.
Alderson.	
Rolfe.	
Coltman.	

Therefore a majority held that the prisoner had not what the statute entitled him to; but a majority also held that the objection was not made in time.

31. The Monmouth Prisoners.—The following memorial to lord Normanby, in favour of the Monmouth prisoners, was presented to his lordship by Mr. Warburton:

"We, the undersigned persons, members of the house of commons and others, desirous of avoiding any improper or disrespectful interference with the executive government in matters of punishment of crime, beg leave to offer to her majesty's ministers the following reasons for saving the lives of Frost, Williams, and Jones, the individuals convicted of treason at the recent Monmouth special commission.

"1. That the punishment of death has been more and more

condemned in all parts of the civilised world, and is now never inflicted on any class of criminals in Great Britain except in extreme cases; and in many parts of Europe it is a punishment practically abolished.

"2. That the three Monmouth juries successively and unanimously recommended the prisoners individually to mercy.

"3. That from the charge of chief justice Tindal to the jury, a strong presumption arises, that that learned and impartial judge, who presided at the trials, entertained some doubt whether the acts of the accused constituted treason.

"4. That it is an acknowledged axiom of English law, that prisoners should have the utmost benefit of doubts or technical objections.

"5. That special points involving the competency of the whole of the witnesses and the legality of the verdict, were reserved for the consideration and solemn decision of the judges; that in the decision of those reserved points yesterday it is understood that the judges were much divided in opinion, several of the judges (comprising individuals of the most acute legal minds), being decidedly for maintaining the objections of the prisoner's counsel.

"6. That the death punishment of Frost, Williams, and Jones, would raise a strong sympathy for the convicts on the part of a great body of the working classes, who would regard those unfortunate men, however erroneously, in the light rather of martyrs than of criminals; that the very ends of punishment in this case would thus be prostrated, and it is also to be feared, that this body of the working classes would be still further alienated than they now are from the other classes of her majesty's subjects.

"7. That the melancholy impression left in the minds of the people by such an execution, would ill associate with the marriage of her most gracious majesty, now about to be solemnised, and whose royal marriage ought to be the occasion for unbounded cheerfulness and joy throughout the nation.

"For these reasons the undersigned respectfully express the hope, that the prerogative of mercy will be extended in favour of Frost, Williams, and Jones.
"W. Allen, Hanbury and Barry.
"W. M. Christy.
"Henry Christy.
"Joseph Parkes.
"C. Lushington, M.P.
"John Travers.
"Joseph Hume, M.P.
"Daniel O'Connell, M.P.
"Thomas Wakley, M.P.
"Francis Finch, M.P.
"Henry Warburton, M.P.
"J. Brotherton, M.P.
"William Ewart, M.P.
"Thomas Thornely, M.P.
"Thomas Hobhouse, M.P.
"H. G. Ward, M.P.
"C. P. Villiers, M.P.
"B. Hawes, jun., M.P.
"Charles Buller, jun., M.P.
"H. A. Aglionby, M.P.
"C. Hector, M.P.
"G. F. Muntz, M.P.
"Henry Chester, M.P.
"William Collins, M.P.
"John Jervis, M.P.
"Basil Montague."

Mr. Basil Montague has also addressed a letter on the subject to lord Normanby.

—. PRINCE ALBERT. BRUSSELS.—His highness prince Albert is to arrive at Liege to-day (the 31st), and to-morrow at Brussels.

His highness is accompanied by the reigning duke of Saxe Coburg, his father, by his brother, the hereditary prince of Saxe Coburg, and his uncle, prince Ferdinand. The intended husband of queen Victoria will be received in Belgium with the honours usually shown to crowned heads. Mr. Masni, the director of the railroad, has orders to go to Liege to prepare everything for the special train, by which the prince and the illustrious persons who accompany him will come to Brussels. At Brussels the whole garrison will be under arms, the cavalry will go out of the city to meet his highness, and the infantry will line the streets through which he will pass on his way to the palace.

The ceremony of the investiture of prince Albert with the Order of the Garter, was, according to a letter of the 25th ult. from Gotha, very imposing. The assemblage of witnesses was numerous, comprising the grand ducal family, all the functionaries of the court and state, the clergy and the officers from the Prussian and Saxon garrisons of Gotha, Erfurth, Weimar, and Meiningen. After reading a letter from Queen Victoria, to the reigning grand duke, and another to prince Albert, lord Torrington, and Colonel Grey assisted the grand duke and the prince of Leiningen in investing prince Albert with the several insignia, salvos of artillery being fired in the meanwhile. A grand banquet ensued, at which toasts were given in honour of her Britannic majesty, prince Albert, and the grand ducal family. On the 25th, there was a grand hunt at Tambach, and on the 28th, prince Albert was to leave Gotha for England by Eisenach, Cassel, Cologne, Aix-la-Chapelle, and Brussels.

FEBRUARY.

1. COMMUTATION OF THE SENTENCE OF DEATH, PASSED ON FROST, JONES AND WILLIAMS.—Addresses to the Queen for mercy to Frost, Jones, and Williams, have been sent from twelve congregations in Birmingham. A petition to parliament to the same effect from Birmingham generally, received 21,000 signatures in three days.

It has become lately known in London that the lives of Frost, Williams, and Jones, would be spared. The determination of government was communicated to lord Brougham in the following letter from lord Normanby—

"*Whitehall, 1st. Ferury,* 1840.

"My Lord—I have laid before the Queen the petition which I had the honour to receive from your lordship, of the inhabitants of Gloucester, in behalf of John Frost, Zephaniah Williams, and William Jones, under sentence of death for high treason; and having considered the special circumstances of the case of each of the said prisoners, with reference to the said proceedings which have taken place since their trials, I have deemed it advisable to recommend to her majesty to extend the royal mercy to the said prisoners, on condition of transportation for life; and her majesty has been graciously pleased to extend her mercy to them on that condition.

"I have the honour to be, my lord, your lordship's very obedient servant, "NORMANBY.

"*The Lord Brougham and Vaux.*"

3. GOLD-DUST ROBBERY. — SENTENCE ON ITS PERPETRATORS. —At five o'clock, after the trials before the queen's judges were disposed of, Mr. Justice Williams directed that Lewin Caspar, Ellis Caspar, his son, Emanuel Moses (*alias* Money Moses), and his daughter, Alice Abrahams, should be placed at the bar, to hear the decision of the judges in their respective cases.

The prisoners were accordingly placed in the dock.

Mr. Justice Williams then addressed them as follows:—Lewin Caspar, Ellis Caspar, Emanuel Moses, and Alice Abrahams—you were tried and convicted at the session of the Central Criminal Court held in this place in the month of June last, and upon your trial the counsel engaged in your behalf took several objections to the indictment as regarded you severally and jointly. With respect to you, Lewin Caspar, it was urged that the indictment could not be sustained in point of law, inasmuch as you were charged as an accessory to the felony before the fact, while the person who was said to have committed the robbery was not named in the indictment. That objection having been made at the time of the trial was reserved for the consideration of all the judges by the learned judge who tried the case. The objection has since been fully considered by the judges, who were of opinion that the count upon which you were indicted was not in law sustainable, and, therefore, they have in your case decided that the judgment of the court ought to be arrested. With respect to you, Ellis Casper, Emanuel Moses, and Alice Abrahams many objections were raised by your counsel in your favour in the course of the trial, and the learned judge who presided on that occasion fully reported those objections, which have been duly and carefully considered by all the judges, the result of whose opinion is that there was nothing erroneous in the proceedings, and that those counts charging you as guilty receivers of the stolen property were perfectly correct and good in point of law, and ought to be sustained. The result is, that we, who not having been present at the trial to judge of the facts of the case, excepting so far as those facts were disclosed to us by the judge who tried you, cannot of course determine upon the degree of punishment which ought to be apportioned to your respective offences and it, therefore, follows as a matter of course that upon the learned judge who tried you rests entirely the task of fixing your sentences, and we who are presiding here are merely performing a duty devolved upon us by that learned person, whose directions we are about to fulfil in announcing the degree of punishment due to your respective cases; and the judgment of the court upon you, Ellis Caspar and Emanuel Moses, is, that you and each be transported beyond the seas, to such place as her majesty by the advice of her privy council shall direct and appoint, for the term of fourteen years, and that sentence will take effect from the date of your conviction. As regards you, Alice Abrahams, the learned judge has reported that the jury who pronounced you guilty, at the same

time recommended you to mercy upon a ground to which, both at the time of the trial and since then, he was disposed to attach considerable weight. We are aware that you have been in prison for a considerable length of time, and, as the learned judge before whom you were convicted is willing to give the fullest effect to the recommendation of the jury, the sentence which he has directed us to pronounce in your case is, that you be imprisoned and kept to hard labour for four calendar months from this day.

The prisoners were then taken from the bar, and, as Alice Abrahams was led away, she exclaimed "Oh my poor father! Mercy, mercy, my lord! have mercy on his family."

Mr. Clarkson, who was counsel for the prosecution in the case, applied to the court to order the detention of Lewin Caspar, against whom two indictments were still pending. The learned counsel hoped that the court would allow the prosecutors forty-eight hours to consider what steps ought to be taken in furtherance of the ends of justice.

Mr. Justice Williams said, that neither his learned brother nor himself knew anything of the facts of the case beyond what had incidentally transpired. They only knew, that the prisoners had been in custody for a considerable length of time. The court were of opinion that twenty-four hours would be sufficient for the prosecutors to determine what course they ought to pursue with regard to the prisoner Lewin Caspar.

It was then arranged that the prisoner should be detained until five o'clock to-morrow (this day).

The court was crowded by persons chiefly of the Jewish persuasion, who appeared extremely anxious to learn the decision of the judges in a case so long protracted, and to which so much interest was attached.

An account of the trial of these persons will be found in our last volume.

5. The Royal Wedding Cake.—A select few have been gratified with a sight of the royal wedding cake at the apartments of the confectionary in St. James's palace, but it is described as consisting of the most exquisite compounds of all the rich things with which the most expensive cakes can be composed, mingled and mixed together into delightful harmony by the most elaborate science of the confectioner. This royal cake weighs nearly 300 lb. weight. It is three yards in circumference, and about fourteen inches in depth or thickness. It is covered with sugar of the purest white; on the top is seen the figure of Britannia in the act of blessing the illustrious bride and bridegroom, who are dressed somewhat incongruously in the costume of ancient Rome. These figures are not quite a foot in height; at the feet of his serene highness is the effigy of a dog, said to denote fidelity; and at the feet of the queen is a pair of turtle doves, denoting the felicities of the marriage state. A cupid is writing in a volume expanded on his knees the date of the day of the marriage, and various other cupids are sporting and enjoying themselves as such interesting little individuals generally do. These little figures are well modelled. On the top of the cake are numerous bouquets of white flowers tied with true lovers' knots of white satin riband, intended for presents

to the guests at the nuptial breakfast. This elegant emblem of the felicities of marriage will be placed on the breakfast table of the queen at Buckingham palace at the breakfast which is to succeed the ceremonies in the chapel royal.

7. Death by Drowning at Oxford. — A melancholy event occurred yesterday on the river Isis, near the Sandford-lock, about three miles from Oxford. Mr. Currer, of Balliol College, was rowing in a small skiff near the lasher, and was drawn by the current over it into the water beneath; and although every assistance that was possible was rendered, he could not be got out of the water before life was extinct. Another gentleman of the university was near losing his life in attempting to save him. The lasher is an opening to let off the water when too high; and as the late rains have greatly swelled the river, the current was very strong.

10. Celebration of Her Majesty's Marriage.—Departure of Her Majesty and Prince Albert from Buckingham Palace. — This morning a select party, comprising the members of her majesty's family and officers of state, with prince Albert, his illustrious father, brother, and suite, assembled at Buckingham palace. The whole line thence to the garden entrance of St. James's palace was lined with Horse Guards. Nine full-dress royal carriages were in readiness to convey those parties who did not accompany her majesty in the procession totheir destination at St. James's. About a quarter of an hour before her majesty's departure (12 o'clock), prince Albert, his father, the duke of Saxe Coburg Gotha, his brother, prince Ernest, and suites, were in like manner conveyed to the palace, after which her majesty's *cortège*, attended by a full guard of honour, proceeded to the like destination, in the following order:—

First Carriage.
Two Gentlemen Ushers.
Exon of the Yeomen of the Guard. Groom of the Robes.

Second Carriage.
Equerry in Waiting. Two Pages of Honour.
Groom in Waiting.

Third Carriage.
Clerk Marshal. Vice-Chamberlain.
Keeper of the Privy Purse. Controller of the Household.

Fourth Carriage.
Bedchamber Woman in Waiting.
Captain of the Yeomen of the Guard.
Master of the Buckhounds. Treasurer of the Household.

Fifth Carriage.
Maid of Honour in Waiting. Duchess of Kent's Lady in Waiting.
Gold Stick. Lord in Waiting.

Sixth Carriage.
Lady of the Bedchamber in Waiting. Master of the Horse.
Lord Steward. Lord Chamberlain.

Seventh Carriage.

THE QUEEN.

The Duchess of Kent. Mistress of the Robes.

On arriving at the palace her majesty was immediately conducted to her closet, behind the Throne-room, where she remained attended by her maids of honour and train-bearers, till summoned by the lord chamberlain to take her place in the procession.

THE COLONNADE.

The colonnade was not badly arranged, and was admirably lighted from the lanterns above and the windows behind. The seats, which were separated from the pillared colonnade by a dwarf railing, and which rose in several tiers one above another, were covered with crimson cushions with gold-coloured borders and fringe. All the remainder of this temporary structure had the semblance of having been constructed of solid masonry. The floor of the colonnade was covered with rich Brussels carpet, which extended, as we were told, into the vestibule, up the grand staircase to the armoury, through the presence-chamber to queen Anne's drawing-room, and thence to the ante-chamber and throne-room, where her majesty and prince Albert's portions of the procession were marshalled. The seats erected for the accommodation of the spectators were covered with crimson cushions and yellow fringe, thus sustaining uniformity throughout. They were railed off from the line of procession.

At nine o'clock the doors to this apartment were thrown open, and soon afterwards the different boxes, into which it was divided, began to fill. At eleven o'clock the doors were closed, and we never recollect seeing any public ceremony at which the tickets issued were so well proportioned to the number of persons who could be comfortably accommodated in the room. There was, in consequence, no confusion, no pressure, no wrangling, no disquietude. Nothing could be better arranged. Among the individuals present, we saw sir G. Murray with a beautiful girl as his companion—sir W. Brabazon—Mr. Tennyson D'Eyncourt, and a *cortège* of ladies—Mr. Shiel and a bevy of Hibernian beauties—Mrs. Leicester Stanhope, and a very fashionable company in the box reserved for the lord chamberlain's friends—Mr. Young, the retired Roscius—and a host of young and fashionable women, such as no other country but our own can show, absolutely dazzling the eye with "the pomp and prodigality" of their beauty. Of the male spectators, the majority were dressed in naval and military uniforms. Some of the grand functionaries of state also entered the chapel royal through the colonnade. Among others, earls Spencer and Fitzwilliam, arm-in-arm. They were followed by the duke of Somerset and his duchess, by the archbishop of Canterbury and the bishop of London, by the duke of Devonshire, by the earl of Carlisle and one of his many daughters—all beautiful—by the marquis of Westminster, by the duke of Wellington, in his uniform as a field marshal and with his

truncheon, and by the marquis of Anglesea, in all the splendour which belongs to the colonel of the 7th Hussars. The duke of Wellington, who looked infirm and did not move with his usual alacrity, was the only individual whom the spectators stood up to honour and to cheer. He bowed calmly in reply, but seemed, we are sorry to say it, sinking under the weight of honours and of years. The marquis of Anglesea, as he moved along, recognised his old comrade in arms sir George Murray, and stayed for some moments in conversation with him. In the midst of these transactions time flew on; and at twenty minutes past twelve o'clock a flourish of trumpets and drums gave us notice of the approach of the royal bridegroom. In a few seconds afterwards it entered the colonnade in the following order:

THE PROCESSION OF THE BRIDEGROOM.

Drums and Trumpets.
Sergeant Trumpeter.
Master of the Ceremonies.
The Bridegroom's Gentlemen of Honour, between two Heralds.
Vice-Chamberlain of Her Majesty's Household. Lord-Chamberlain of Her Majesty's Household.

THE BRIDEGROOM.

Wearing the Collar of the Order of the Garter,
Supported by their Serene Highnesses the reigning Duke of Saxe Coburg and Gotha,
And the Hereditary Prince of Saxe Coburg and Gotha,
Each attended by Officers of their Suite, namely,
Count Kolowrath, Baron Alvensleben, and Baron de Lowenfels.

As the prince moved along he was greeted with loud clapping of hands from the men, and enthusiastic waving of handkerchiefs from the assembled ladies. He carried a bible bound in green velvet in his hand. He wore the uniform of a field marshal in the British army. Over his shoulders was hung the collar of the garter surmounted by two white rosettes. His appearance was attractive and much improved since his arrival on Saturday. The effects of the *maladie du mer* were no longer upon him, and with his pale and pensive looks won golden opinions from the fair coterie near which we were sitting. His father and his brother were also welcomed with respect. Both seemed pleased with their reception, and the hereditary prince, who has more of determination, and less of good-natured complaisance in his countenance than his brother, testified his sense of it by repeatedly bowing his thanks to the fair ladies at his side. The bridegroom's procession at last reached the chapel, and on entering it the drums and trumpets filed off without the door, and the procession advancing, his royal highness was conducted to the seat provided for him on the left-hand of the altar.

His supporters, the duke of Saxe Coburg and Gotha, and the hereditary prince, with the officers of the suite, occupied seats near prince Albert. The master of the ceremonies and the officers of the bridegroom stood near the person of his royal highness.

The lord chamberlain and vice-chamberlain, preceded by the drums and trumpets, then returned to the throne-room to attend her majesty.

Every heart now beat high with expectation, and every eye was turned with intense interest to the entrance from the grand staircase, as it was known that a few minutes would now usher in her majesty's procession. Again the drums and trumpets sounded "God save the queen" was the air, and then the doors were again opened, and in came the royal procession with solemn step and slow. As a whole, nothing could be more admirable. It was a *coup d'œil*—

"Plain without pomp, yet rich without a show."

Her Majesty and her train proceeded to the chapel in the following order :—

THE QUEEN'S PROCESSION.

Drums and Trumpets.
Sergeant Trumpeter.
Knight Marshal.
Pursuivants.
Heralds.
Pages of Honour.

Equerry in Waiting. — Clerk Marshal.
Groom in Waiting. — Lord in Waiting.
Controller of her Majesty's Household. — Treasurer of her Majesty's Household.

The lord Steward of her Majesty's household.

Norroy King of Arms. — Clarenceux King of Arms.
Lord Privy Seal. — Lord President of the Council.
Two Sergeants at Arms. — Two Sergeants at Arms.

Lord High Chancellor.

Senior Gentlemen Usher Quarterly Waiter.

Gentleman Usher Daily Waiter, and to the Sword of State. — Gentleman Usher of the Black Rod.

Garter King of Arms.
The earl Marshal.
Her Royal Highness the Princess Sophia Matilda of Glocester.
Princess Mary of Cambridge.
Princess Augusta of Cambridge.
Prince George of Cambridge.
Her Royal Highness the Duchess of Cambridge,
attended by a Lady of her Royal Highness's household.
Her Royal Highness the Duchess of Kent,
attended by a Lady of her Royal Highness's household.
Her Royal Highness Princess Augusta.
attended by a Lady of her Royal Highness's household
His Royal Highness the Duke of Cambridge.

His Royal Highness the Duke of Sussex.

Each attended by a Gentleman of their Royal Highnesses household

Vice-Chamberlain of her Majesty's Household. | The Sword of State, borne by Lord Viscount Melbourne. | Lord Chamberlain of her Majesty's Household.

THE QUEEN.

Wearing the Collars of her Orders.

Her Majesty's train borne by the following twelve unmarried Ladies, viz:—

Lady Adelaide Paget.
Lady Sarah Frederica Caroline Villiers.
Lady Frances Elizabeth Cowper.
Lady Elizabeth West.
Lady Mary Augusta Frederica. Grimston.
Lady Eleanora Caroline Paget.
Lady Caroline Amelia Gordon Lennox.
Lady Elizabeth Anne Georgiana Dorothea Howard.
Lady Ida Hay.
Lady Catherine Lucy Wilhelmina Stanhope.
Lady Jane Harriet Bouverie.
Lady Mary Charlotte Howard.

Assisted by the Groom of the Robes.

Master of the Horse, The Earl of Albemarle, G.C.H.

Mistress of the Robes, The Duchess of Sutherland.

Ladies of the Bedchamber:—

The Marchioness of Normanby.
The Countess of Charlemont.
The Dowager Lady Lyttelton.
The Lady Portman.
The Duchess of Bedford.
The Countess of Sandwich.
The Countess of Burlington.
The Lady Barham.

Maids of Honour:—

The Hon. Amelia Murray.
The Hon. Caroline Cocks.
The Hon. Matilda Paget.
The Hon. Harriet Pitt.
The Hon. Henrietta Anson.
The Hon. Harriet Lister.
The Hon. Sarah Mary Cavendish.

Women of the Bedchamber:—

Lady Harriet Clive.
Lady Charlotte Copley.
Viscountess Forbes.
Lady Caroline Barrington.

Mrs. Brand. The Hon. Mrs. Campbell. Lady Gardiner.

Captain of the Yeomen of the Guard. Gold Stick. Captain of the Band of Gentlemen at Arms.

Keeper of the Privy Purse.

Six Gentlemen at Arms.

Six Yeomen of the Guard to close the procession.

It will be seen from this official programme how the heralds had marshalled the different members of the procession. Scarcely any notice was taken of the individuals who led the way in it until the lord chancellor made his appearance. He was greeted with a few scanty cheers. Garter king-of-arms, with all his heraldic pomp and pride, and the head of his college, the earl marshal, the duke of Norfolk, with all the blood of all the Howards, passed unnoticed

in the throng. Her royal highness the princess Sophia of Glocester, who stopped to address sir G. Murray's female *protegée* as she passed, was cheered. The princess Augusta of Cambridge. excited general admiration by her affability and beauty. Her royal aunt the princess Augusta was cheered. Her royal highness the duchess of Glocester, whose name appears in the official details of the ceremony, was prevented from being present in consequence of a severe cold. Her royal highness the duchess of Cambridge, led her young daughter the princess Mary in her hand, and the mother of so beautiful a child was certain not to be seen without interest. Every sympathy was awakened on behalf of her royal highness the duchess of Kent; but she appeared somewhat disconsolate and distressed, and we fancied, but it might be fancy, that we saw the traces of tears upon her countenance. His royal highness the duke of Sussex, who was to give away the royal bride, seemed in excellent spirits. Lord Melbourne, who carried the sword of state, appeared proud of the dignity with which he was invested; but little attention was paid to him. Her majesty came next, looking anxious and excited. She was paler even than usual. Her dress was a rich white satin, trimmed with orange flower blossoms. On her head she wore a wreath of the same blossoms, over which, but not so as to conceal her face, a beautiful veil of Honiton lace was thrown. Her bridesmaids and train-bearers were similarly attired, save that they had no veils. Her majesty wore the collar of the garter, but no other diamonds or jewels, Her attendants were arrayed with similar simplicity, and ladies more beautiful never graced palace, hall, or country green. They were followed by the duchess of Suther land. Of the ladies of the bedchamber and the maids of honour, we have only to say, that they did honour to the court and to their place in the procession. It was closed, not as the official statement announced, by six yeomen of the guard, but by two officers in polished cuirasses and in dirty boots, who commanded the squadron of life guards on duty at the palace.

On arriving at the entrance of the chapel the drums and trumpets filed off. The yeomen of the guard remained at the foot of the staircase, in the ante-chapel, during the ceremony. The respective persons composing the procession were conducted to the places provided for them, the princes and the princesses of the blood royal to the seats prepared for them on the *haut pas*, and the several ladies attendant upon the queen to the seats provided near her majesty's person.

It was twenty minutes past twelve when prince Albert entered the chapel. It wanted twenty-five minutes to one when her majesty joined him there. Exactly at a quarter to on 'clock the pealing of the guns in the park gave notice to us in the corridor and to the whole metropolis, that at that moment the happy bridegroom had placed the ring on the finger of his royal bride.

THE CHAPEL ROYAL.

The decorations of the chapel are distinguished for simple chastity combined with elegance; there is no attempt at ostentatious display, while a pleasing harmony characterizes the whole.

The altar and *haut pas*, although very limited in extent, had a very splendid appearance. The whole was lined with crimson velvet. The wall above the communion-table was hung with rich festoons of crimson velvet edged with gold lace. The gothic pillars supporting the galleries were gilt, as were the mouldings of the oaken panels where exposed; so, too, was the gothic railing round the communion-table. The communion-table was covered with a rich profusion of gold plate. On one side was a stool for the archbishop of Canterbury, and on the other one for the bishop of London. On the left hand side of the altar, and on the *haut pas*, as you advanced up the aisle under the gallery, were four stools, with footstools to match, for the reception of their royal highnesses the duke of Sussex and the duke of Cambridge, the princess Augusta and the duchess of Gloucester; while on the opposite side were six stools of a like description for the use of her royal highness the duchess of Cambridge, the two princesses of Cambridge, prince George of Cambridge, prince Ernest, and the reigning duke of Saxe Coburg Gotha, the parent and brother of prince Albert. On the left side of the altar, and in front of the four stools we have described, were two state chairs—that next the railing of the altar for her majesty, and that nearer to the aisle for her royal highness the duchess of Kent. On the opposite side were also two state chairs —that next the railing for prince Albert, and that nearer the aisle for the dowager queen Adelaide; each of these chairs was provided with footstools; while close to the railing of the altar were two fald stools for her majesty and prince Albert, to be used during the ceremony. The whole floor was covered with a blue and gold pattern carpet, with the Norman rose. The remaining part of the interior, including the pews in the aisle, the seats in the galleries, and ambassadors' closets, had the appearance of simple oak with gothic panels, scrolls, and mouldings, the seats being covered with crimson cushions, with gold-coloured edges, and broad gold-coloured fringe. The ceiling, which has been refreshed, and is adorned with the arms of Great Britain in various-coloured devices and compartments, had a very tasteful appearance, and the light admitted from the gothic window over the altar, and from the windows on each side, gave a pleasing mellowness to the whole.

In the chapel, as elsewhere, the approach of prince Albert was announced by the drums and trumpets. It was then crowded with the *élite* of British nobility, male and female, and by the representatives of the different courts who are in amity with Great Britain. He walked up the chapel, bowing to the company on each side of him, and took his seat near the altar as stated in the ceremonial. His supporters, the duke of Saxe Coburg and Gotha and the hereditary prince, with the officers of their suite, occupied seats near him. The master of the ceremonies and the officers of the bridegroom also stood close by his person. After a short interval, her majesty's procession entered the chapel in the order we have described.

The royal and illustrious personages having taken their places, the ceremony commenced. It was precisely that of the church lit-

urgy—the simple names of "Albert" and "Victoria" being used. To the usual queries the prince answered firmly, "I will"—

When the similar inquiry was addressed to her majesty—"Victoria, wilt thou have Albert to thy wedded husband, to live together after God's ordinance in the holy estate of matrimony? Wilt thou obey him and serve him, love, honour, and keep him in sickness and in health, and, forsaking all other, keep thee only unto him so long as ye both shall live?" The queen, in accents which, though full of softness and music, were audible at the most extreme corner of the chapel, replied, "I will;" and on so doing, accompanied the expression with a glance at his royal highness, which convinced all who beheld it that the heart was with her words.

When the archbishop inquired, "Who giveth this woman to be married to this man?" The duke of Sussex advanced, and presented her majesty to his royal highness.

The usual form of trothing faith were then gone through; and in a tone of voice and with a clearness of expression which we have seldom witnessed on similar occasions in much humbler walks of life, Her majesty's expression of the words "love, cherish, and obey"—the confiding look with which they were accompanied—were inimitably chaste and beautiful.

The prince placed the ring on the bride's finger.

The remaining portions of the ceremony were then impressively read by the archbishop of Canterbury; and the union having been concluded, the royal procession left the chapel in the same form that it arrived; the only difference being, that prince Albert's retinue went out first without him, and that he remained behind to escort her majesty, hand-in-hand, and ungloved, out of the chapel, escorted and accompanied as she entered.

The queen, on the conclusion of the ceremony, shook hands cordially with the various members of the royal family. On passing the queen dowager's chair, she went forward to meet her with evident and unaffected cordiality, kissing her and shaking hands. Prince Albert then kissed the queen dowager's hand, acknowledged her congratulations, and now formed with her majesty in the procession.

At the moment when the ring was placed on the queen's finger, a signal was made, and a discharge of cannon testified the fact to the whole metropolis.

RETURN FROM THE CHAPEL ROYAL.

The doors were again opened; the music of the anthem was faintly heard; the signal guns ceased to fire; and at a few minutes past one the procession began to re-marshal itself for its return. The bridegroom's procession, which was however robbed of his presence, returned first. Again were the duke and hereditary prince of Saxe Coburg loudly cheered. The nuptial procession then returned in the same order as before. On the appearance of her majesty, hand-in-hand with her royal husband, the clapping of hands, and waving of handkerchiefs was renewed, time after time, until they

had vanished out of sight. Whether by accident or design, his royal highness prince Albert enclosed her majesty's hand in his own in such a way as to display the wedding-ring, which appeared more solid than is usual in ordinary weddings. On their return cheers were given to most, if not to all, the ladies of royal birth who had received them on their approach. There was, however, one cheer far more long and enthusiastic than any other given during the whole day reserved for the duke of Wellington as he left the chapel. He was not part of the royal procession; and it had passed to some distance before he made his appearance. As soon as he had arrived in the centre of the colonnade, spontaneously, without any signal, and yet as if by common and universal consent, the company rose and gave him three hearty cheers. The heart of the veteran appeared gladdened by it. It had scarcely subsided when lord Hill, who was covered with the orders he has won on many a well-foughten field, came up to witness and take a share in them.

Her majesty then proceeded to the throne-room, where the form of attestation took place, her majesty and prince Albert signed the marriage register, which was attested by certain members of the royal family and officers of state present. A splendid table was prepared for the purpose, and this part of the ceremony, with the magnificent assemblage by which it was witnessed, presented one of the most auspicious spectacles of the auspicious day.

THE RETURN TO BUCKINGHAM PALACE.

All being concluded within the palace of St. James', the procession to Buckingham-palace was re-formed pretty much in the same order in which it moved in the morning, prince Albert, now took his place in the same carriage with her majesty, and the duchess of Sutherland, the earl of Albemarle, having, on this occasion, waved his official right to be in the same carriage with her majesty. Her majesty occupied the back seat alone, and prince Albert and the duchess of Kent sate opposite.

Her majesty and the prince were loudly cheered throughout the whole of their progress.

WEDDING BREAKFAST.

At Buckingham Palace there was a wedding repast, at which several of the illustrious participators in the previous ceremony, and the officers of the household and ministers of state, were present. The following is the list of guests:—

Her Royal Highness the Duchess of Kent.
His Serene Highness the Duke of Coburg.
Their Royal Highnesses the Duke and Duchess of Cambridge.
His Royal Highness the Duke of Sussex.
Her Royal Highness the Duchess of Gloucester.
His Royal Highness Prince George of Cambridge.

Her Royal Highness the Princess Augusta of Cambridge.
Her Royal Highness the Princess Sophia Matilda.

The Archbishop of Canterbury.	Viscount Palmerston.
The Bishop of London.	Lord John Russell.
Viscount Melbourne.	The Lord Steward.
The Lord Chancellor.	The Lord Chamberlain.
The Lord President of the Council.	The Master of the Horse.
	The Mistress of the Robes.
The Lord Privy Seal.	The Lady in Waiting.
The Marquess of Normanby.	

Maids of Honour—Hon. Miss Cocks and Miss Cavendish.

Viscount Torrington.	Lord Alfred Paget.
The Hon. Major Keppel.	Mrs. Brand.

The Lady in Waiting on her Royal Highness the Duchess of Kent.
Gentlemen of the Duke of Coburg's suite.
The Lady in Waiting on her Royal Highness the Duchess of Gloucester.
The Lady in Waiting on her Royal Highness the Duchess of Cambridge.
The Lady in Waiting on her Royal Highness the Princess Sophia Matilda.

ROYAL BRIDESMAIDS.

The royal bridesmaids are each to receive a brooch, the gift of her majesty. The present to each of the fair train-bearers at the late coronation was a ring, which we then described. We have seen one of the brooches, which is in the shape of a bird, the body being formed entirely of turquoises; the eyes are rubies, and the beak a diamond; the claws are of pure gold, and rest on pearls of great size and value. The whole workmanship is very superior, and exactly in accordance with the directions of the royal bride.

THE DEPARTURE FOR WINDSOR.

At the conclusion of the breakfast, arrangements were made for the immediate departure of her majesty for Windsor, and at a quarter to four the royal party left Buckingham Palace amidst the cheers and festive acclamations of a vast multitude. The first carriage was occupied only by her majesty and prince Albert; the second by his serene highness prince Ernest of Saxe Coburg, and three others by the lord and lady in waiting, the groom of the chamber, equerry, two maids of honour, and other attendants of her majesty and his royal highness. Just before the royal *cortège* left Buckingham Palace, the sun shone forth with full brightness, the skies were cleared of their murky clouds, and all things seemed to promise that future happiness which we sincerely trust may be the lot of the illustrious pair.

The prince was dressed in a plain dark travelling dress, and her majesty in a white satin pelisse, trimmed with swans down, with a white satin bonnet and feather.

The principal houses in the villages on the road to Windsor

were illuminated, and crowds came forth to testify their loyal delight on this happy occasion. Eton college was brilliantly illuminated; and the Etonians, wearing white favours, were marshalled to receive the queen with loud acclamations. They escorted her majesty to the castle-gates.

The evening had closed in before the arrival of the royal party. The whole town was therefore illuminated before they entered the town, and the effect produced by the glitter of the lights on the congregated multitude was exceedingly splendid.

At half-past six the crowd on the castle hill had become so dense that it was with difficulty the line of road for the royal carriages was kept clear. The whole street was one living mass, whilst the walls of the houses glowed with crowns, stars, and all the brilliant devices which gas and oil could supply. At this moment a flight of rockets was visible in the air, it was apparently over Eton, and it was immediately concluded that the queen had entered Eton. The bells now rang merrily, and the shouts of the spectators were heard as the royal *cortège* approached the castle. At twenty minutes before seven the royal carriage arrived in the High-street, Windsor, preceded by the advanced-guard of the travelling escort. The shouts were now most loud and cheering, and from the windows and balconies of the houses handkerchiefs were waved by the ladies, whilst the gentlemen huzzaed and waved their hats. The carriage, from the crowd, proceeded slowly, her majesty and her royal consort bowing to the people. Her majesty looked remarkably well, and prince Albert seemed in the highest spirits at the cordiality with which he was greeted. It was exactly a quarter to seven o'clock when the royal carrige drew up at the grand entrance. The queen was handed from the carriage by the prince; she immediately took his arm, and entered the castle. In the carriages which followed that in which the royal pair arrived, were lady Sandwich, Lady in Waiting: the hon. Miss Cocks and the hon. Miss Cavendish, Maids of Honour; lord Torrington, major Keppel, and Mr. Seymour, the Groom and Equerry in Waiting, who formed the royal dinner party.

THE STATE BANQUET.

A state-banquet in celebration of her majesty's marriage was given last evening at St. James's-palace in the grand banquetting-room. A cross-table at the end of the room was appropriated for the principal guests; the rest of the company occupied two long tables at the sides of the room.

In the middle of the cross table was placed her majesty's wedding cake, decorated with four elegant flags of white satin, containing the royal arms.

The gold plate was used at the banquet, and the plateaus of all the tables contained some of the finest epergnes and candelabras in the royal collection, embellished with classical and mythological subjects.

A magnificent sideboard at the end of the room, hung with crimson drapery, looped up with white

rosettes, the highest in the centre, surmounted by an imperial crown, displayed to great advantage a great variety of shields, salvers, vases, tankards, and cups, interspersed and illuminated with candelabras or sconces.

The shield immediately under the crown had a fine alto relievo, the subject a battle piece. At the bottom of the side-board were a number of choice tankards and cups, the most interesting of the number being the national cup, designed by Flaxman, with the patron saints of England, Ireland, and Scotland, in niches introduced on the circumference, and between the divisions the national badges of the three nations formed by precious stones, and surmounted each by crowns. The cover of this cup represents the combat of St. George and the Dragon. Under the centre shield were a curious salver from Mexico, and the antique urn captured from the Spanish Armada. In the principal division were also the shield of Achilles, and a very large gold dish, with a very deep and elegant border, modelled from Stothard's designs. Among the tankards was a very large one, having inserted on it a great number of medals struck in Holland during the time of the Commonwealth, in honour of the Knights of the Garter. A medallion of Charles 2nd is placed in the centre. The handle is formed by the figure of a dragon, and the tankard has on the top a large crown, adorned with precious stones, the cushion formed by a single amethyst of large size. Bulb and crystal cups, and others with enamelled paintings, or enriched with precious stones; and several vases, copied from the Warwick vase, were among the collection, which also included some statuary groups executed in gold.

The following distinguished personages had the honour of receiving invitations to the state banquet:—Her Royal Highness the Duchess of Kent, their Serene Highnesses the Duke of Saxe Coburg Gotha, and Prince Ernest of Saxe Coburg Gotha, the Duke of Norfolk, the Duke and Duchess of Bedford, the Duke and Duchess of Sutherland, Marchioness of Normanby, Marquis of Headfort, Earl and Countess of Erroll, Earl and Countess of Uxbridge, Earl and Countess of Albemarle, Earl and Countess of Surrey, Earl of Belfast, Earl and Countess of Sandwich, Earl and Countess of Charlemont, Earl and Countess of Burlington, Earl and Countess of Fingall, Earl of Ilchester, Lady C. Lennox, Lady A. Paget, Lady Elizabeth Howard, Lady Sarah Villiers, Lady Ida Hay, Lady Fanny Cowper, Lady W. Stanhope, Lady Jane Bouverie, Lady L. West, Lady M. Grimstone, Lady Ellen Paget, Lady Mary Howard, Lord and Lady Byron, Lord Gardner, Viscount and Viscountess Torrington, Lord and Lady Lilford, Lord Alfred Paget, Lord Foley, Lord and Lady Kinnaird, hon. Major and Mrs. Keppel, Lord and Lady Barham, Lord and Lady Portman, Lord Howden, Viscountess Forbes and Mr. Vaughan, Lady Fanny Howard, Dowager Lady Lyttelton, Lady Constance Paget, the Right Hon. George S. and Lady Agnes Byng, Sir Joseph and Lady Charlotte Copley, Mr. and Lady Harriet Clive, Mr. and Lady Theresa Digby, Colonel and Lady Isabella Wemyss, Colonel and Lady K. Buckley, Lady Caroline Barring-

ton, hon. Colonel and Mrs. Grey, hon. Captain and Mrs. Campbell, hon. Colonel and Mrs. Cavendish, hon. William Cowper, hon. Charles A. Murray, Sir Robert and Lady Gardiner, Sir Robert and Lady Otway, Sir William and Lady Lumley, Sir Henry and Lady Wheatley, hon. Harriet Pitt, hon. Miss Cocks, hon. Miss Spring Rice, hon. Matilda Paget, hon. Miss Anson, hon. Miss Cavendish, hon. Miss Lister, hon. Miss Murray, Miss Davys, Mr. and Mrs. Brand, Sir Frederick Stovin, Colonel Armstrong, Mr. Rich, General Sir F. Weatherall, Colonel Couper, General Upton, Master Cavendish, Master Cowell, hon. A. Chichester, Master Wemyss, Master Byng, five gentlemen of the Duke of Saxe Coburg's suite, four gentlemen of the suite of his Royal Highness Prince Albert, Sir George Anson, Mr. George Edward Anson, Mr. Seymour, Baron Stockmar, Mr. Marrable, Earl and Countess of Listowel, Lord A. Chichester, Mr. Francis Seymour, hon. Frederick Spencer, General Hill, Lord and Lady Willoughby D'Eresby, Baron de Heringen.

All the company came in court dresses, the members of the Orders of Knighthood wearing their respective insignia.

The band of the Coldstream Regiment of the Foot Guards was in attendance in an ante-room, and performed a number of favourite selections in the course of the night.

Her Majesty the Queen Dowager gave a dinner last evening at Marlborough-house, at which several members of the Royal Family were present.

Grand dinner parties in honour of the day, to all of which the guests came in full court dresses, were given by

Viscount Melbourne, First Lord of the Treasury, at his residence, in South-street.

Lord John Russell, Secretary of State for the Colonies, at the Clarendon Hotel.

Viscount Palmerston, her Majesty's Secretary of State for Foreign Affairs, at his residence, in Carlton-terrace.

The Marquis of Normanby, Secretary of State for the Home Department.

The Marquess of Lansdowne, Lord President of the Council, at Lansdowne-house.

The Chancellor of the Exchequer, at his official residence in Downing-street,

And the Earl of Minto, First Lord of the Admiralty, at his official residence.

Her Majesty's tradesmen dined together in the grand hall of the Freemasons' Tavern, Mr. Leslie in the chair, to celebrate the day.

And after the ceremony, wedding-cake and wine were sent from the Lord Steward's office for the gentlemen and the boys of the choir of her Majesty's Chapel Royal.

THE THEATRES.

Her Majesty's subjects seemed most anxious to evince their sense of the festivity of the occasion by taking advantage of the gratuitous opening of the theatres last night. Drury-lane, Covent-garden, and the Adelphi, were crammed in every part. The national anthem was sung with loud applause at every house. At Drury-lane an emblematical ballet had been got up for the occasion, which con-

cluded with a representation of the Queen and Prince Albert surrounded by fireworks, and was received with approbation.

RETURN OF THE BRIDAL PARTY TO LONDON.

The Queen and Prince Albert remained at Windsor till Friday, 14th inst.; reading the newspapers, walking and riding in the mornings, and giving small dinner parties in the evening; on Friday afternoon they returned to Buckingham-palace. A considerable number of persons were assembled near the palace, and heartily cheered the royal couple. Her Majesty's dinner party comprised the Duchess of Kent, the Duke of Saxe Coburg, Prince Ernest, and the ladies and gentlemen of the household.

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11. COURT OF COMMON COUNCIL.—A court was held for the purpose of considering the propriety of voting addresses of congratulation to her majesty the Queen, prince Albert, and the duchess of Kent, upon the solemnization of the royal nuptials.

—. DISCHARGE OF SHERIFF WHEELTON FROM CUSTODY.—The lord mayor stated to the court that he had received the following letter from sheriff Wheelton:—

"No. 57, Myddelton-square,
Pentonville, Feb. 12, 1840.

"My dear lord mayor;—It is with unspeakable pleasure I have to inform you that the house of commons discharged me at two o'clock this morning, on account of the injury my health has sustained by so long a confinement.

"I sincerely trust that it will please the house to discharge my worthy colleague this evening.

"As I feel too weak for a few days to attend to business, I trust that your lordship and the court will excuse my attendance while I am endeavouring to recruit my health by change of air.

"With many thanks to your lordship and the court for every act of kindness and attention I have experienced during my incarceration at the house of commons.

"I remain, my dear lord mayor, very affectionately yours,

"JOHN WHEELTON, Sheriff.

"To the right hon. the lord mayor."

—. THE MARRIAGE OF THE QUEEN.—The lord mayor read the requisition calling upon him to convene a court to take into consideration the propriety of voting addresses of congratulation to queen Victoria, prince Albert, and the duchess of Kent, upon the happy event of the solemnization of the royal nuptials. His lordship stated, that the court of aldermen had that morning unanimously adopted resolutions, and founded addresses upon them, which were to be delivered by the sheriffs.

The addresses were then severally put, and unanimously, and with loud acclamations, agreed to; after which the court adjourned.

MARCH.

3. INTERRUPTED DUEL BETWEEN THE COMPTE DE LEON AND PRINCE L. NAPOLEON.—On Tuesday morning, an intended duel between prince Louis Napo-

leon and the count Leon, reputed natural son of the emperor Napoleon, was prevented by the police. The parties met at seven o'clock, on Wimbledon-common; prince Louis Napoleon, accompanied by count D'Orsay and colonel Parquin, the count Leon by lieutenant-colonel Ratcliffe. Count Leon having refused to fight with swords, the parties were preparing to use pistols, when the police came up and took them all to Bow-street. A servant of one of the gentlemen was also apprehended. Immediately after their arrival at Bow-street, the policeman proved that a breach of the peace was intended; and the magistrate required the parties to give security to keep the peace. The principals entered into their own recognizances in 500*l.* each, and produced sureties to an equal amount. The seconds were bound, themselves in 100*l.* each, and sureties of 100*l.* Mr. Joshua Bates was accepted as security for prince Louis and colonel Parquin, the honourable Francis Baring for count D'Orsay and colonel Parquin, Mr. Fenton for count Leon. The servant was discharged on his own recognizance of 100*l.*

The cause of the above quarrel is not accurately known; but it is said that count Leon, on his arrival in London three weeks ago, called upon the ex-king of Spain, the ex-king of Westphalia, and prince Louis, by neither of whom was he received. He then wrote a letter to prince Louis, which the prince declined to answer, but sent colonel Parquin to give explanations. These were not satisfactory, and count Leon sent a challenge to the prince, by colonel Ratcliffe.

4. Oxford Assizes. — The Queen in the Prosecution of Jos. Candwell *v.* Herbert Raban and Another, Students in the University of Oxford.— In this case the defendant was indicted for conspiring with Thomas Henry Evans to defraud the prosecutor of 30*l.*, by representing themselves respectively to be of the age of twenty-one years, and thereby inducing him to lend them that sum.

It appeared that the defendant Raban, at the time of the transaction which gave rise to the present indictment, was an undergraduate of Exeter college. The other defendant was at that time in Oxford, for the purpose of standing for a scholarship at Corpus Christi, and is now with his regiment in India.

Joseph Candwell, the prosecutor stated.—I have lived in Oxford ten years as an accountant and bill broker. On the 14th of February, 1839, Mr. Raban came to me. He wanted a small sum of money, which I lent him, and for which I took his I. O. U. I do not remember the amount; it was under 10*l.* He came again a few days afterwards with Mr. Evans, and said he wished to make the sum up to 30*l.* I said I had no objection if he had any one to be bound for him. He replied, he had brought Evans for that purpose. Upon my observing that I didn't think Evans was of age, they both said he was; and I then told them I had no objection to advance the money. They said they would sign any paper to that effect, and gave me 5*l.* for the loan of 30*l.* for two months. I asked them their age, because I would not lend money to a minor. Raban said, he could get his certificate if I wished it, but I did not

require that. They then signed the paper produced.

This was a printed form, with blanks for the names and sums, which were filled up in writing:—"We do hereby acknowledge that we have received of Mr. Candwell, the sum of 30*l.*, and we do hereby declare that we are of the age of twenty-one.

"HERBERT RABAN.

"THOMAS HENRY EVANS."

"*Feb.* 17, 1839."

On his cross-examination the prosecutor said—I began to lend small sums to gentlemen of the University about three years ago. I did not know whether Raban was an undergraduate. I don't know whether my customers are Masters of Arts or no. I have applications now in my office from Masters of Arts. I swear that I do not know an undergraduate's dress, though I have been in Oxford ten years. They don't always come to me in their gowns. Mr. Dickenson, my attorney in this prosecution, lives with me at my office during the assizes. I do business for him in the law way, keeping blank printed retainers for him and for other attorneys, to be filled up by clients. He resides at No. 3, Lincoln's inn, New-square, London. I have had two lots printed of these forms of acknowledgment that the party signing them is of age. Twenty-five in each lot, and I may have twenty left on hand. Upon my oath, I believe both defendants to be of age. Mr. Raban (who was pointed out by the learned counsel, and who certainly does not appear more than nineteen,) looks much younger now than when he came to me in his cap and gown. He kept them on all the time he was in my office. I believe young gentlemen generally come to Oxford at seventeen or eighteen. I directed Dickenson to sue them both on the note. I did not direct him to send an anonymous letter to colonel Raban, but I did direct him to send, both to colonel Raban and to Mr. Evans, copies of a handbill, which was printed and circulated by my direction, offering a reward for the apprehension of defendants. I did not then know that young Evans was in India, or that Raban was residing at his father's house.

In answer to questions from the learned judge, the prosecutor replied—

I thought Raban was of age, by his statement. I thought the paper was a security in case he told an untruth. I would not have let him sign it if I had known it was untrue. Five pound for 30*l.* for two months is not my usual rate of interest. I have sometimes had more and sometimes less. Raban said he was in the vice-chancellor's court, so I thought he was much in want of the money. For some cases, when young gentlemen had been taken in execution, I have had 7*l.* for 30*l.*, for two months.

In answer to a question from one of the jury he added—

My servant has, by my orders, taken notices over all the colleges in Oxford, stating that I lend money. I do not know whether such notice had been left at Raban's room before he came to me. They may have been left at every undergraduate's room in Wadham college.

An affidavit, sworn by the defendant, that he was only nineteen on the 26th of May last, and that the prosecutor had said to him when he signed the acknow-

ledgement, that he (Candwell) knew, that defendant was not of age.

An extract from the register of matriculations, also showed that defendant on his matriculation in November, 1836, stated that he was sixteen.

Mr. Evans, the father of the other defendant, deposed that his son was born on the 26th February 1822, and was, therefore, under seventeen when he signed the acknowledgment. He looked about his real age, and had no more the appearance of being twenty-one than witness himself. He came from a private tutor's to stand for a scholarship, and was now a member of the University.

Mr. Baron Gurney asked the jury if such a case required any answer, whether they could believe the prosecutor was imposed upon?

Serjeant Ludlow.—My lord, he has sworn that he advanced the money, believing the false pretence.

Mr. Baron Gurney.—I know he has, and a great deal more.

The jury, after two or three minutes' deliberation, returned a verdict of *Not guilty*, amid loud applause, and were about to address some observations to his lordship which he declined hearing, adding emphatically, "Such a man is totally unworthy of belief; I am shocked that there is such a pest in Oxford."

5. Suicide.—Mercier, a young man, a carver in ivory at Dieppe, scarcely twenty years of age, had become enamoured of a young Englishwoman, named Henrietta Buller, shopwoman at a pastry-cook's in that place. A few evenings since, Mercier entered the shop, and, not finding Henrietta there, took a pistol from his pocket, put the muzzle into his mouth, and blew his brains out. In his pocket was found another pistol, primed and loaded, some bullets and caps, with a letter declaring his resolution to destroy both the young woman and himself. Henrietta, on being examined, deposed, that he had courted her for upwards of nine months, but from his jealous conduct had already caused her to lose two places. They quarrelled, and had at length parted, with a resolution not to meet again. He could not, it seems, overcome his attachment, and had the day before written to her a letter, to which she returned no answer. This no doubt had driven him to desperation.

8. Feminine Correspondence.—The following civilities between two ladies lately appeared in the public papers.

"(Copy 1.)—Lady Seymour presents her compliments to lady Shuckburgh, and would be obliged to her for the character of Mary Stedman, who states that she has lived twelvemonths, and still is in lady Shuckburgh's establishment. Can Mary Stedman cook plain dishes well? make bread? and is she honest, good tempered, sober, willing, and cleanly? Lady Seymour would also like to know the reason why she leaves lady Shuckburgh's service? Direct, under cover, to lord Seymour, Maiden Bradley."

"(Copy 2.)—Lady Shuckburgh presents her compliments to lady Seymour. Her ladyship's note, dated Oct. 28, only reached her yesterday, Nov. 3. Lady Shuckburgh was unacqainted with the name of the kitchen-maid, until mentioned by lady Seymour, as it is her custom neither to apply for

or give characters to any of the under servants, this being always done by the housekeeper, Mrs. Couch—and this was well known to the young woman; therefore lady Shuckburgh is surprised at her referring any lady to her for a character. Lady Shuckburgh having a professed cook, as well as a housekeeper, in her establishment, it is not very likely she herself should know anything of the abilities or merits of the under servants; therefore, she is unable to answer lady Seymour's note. Lady Shuckburgh cannot imagine Mary Stedman to be capable of cooking for any except the servants' hall table.—November 4, Pavilion, Hans-place."

"(Copy 3.) — Lady Seymour presents her compliments to lady Shuckburgh, and begs she will order her housekeeper, Mrs. Pouch to send the girl's character without delay; otherwise another young woman will be sought for elsewhere, as lady Seymour's children cannot remain without their dinners because lady Shuckburgh keeping a 'professed cook and a housekeeper,' thinks a knowledge of the details of her establishment beneath her notice. Lady Seymour understood from Stedman that, in addition to her other talents, she was actually capable of dressing food fit for the little Shuckburghs to partake of when hungry."

"(To this note was appended a clever pen and ink vignette, by the Queen of Beauty, representing the three little Shuckburghs, with large turnip-looking heads and cauliflower wigs, sitting at a round table, eating and voraciously scrambling for mutton chops, dressed by Mary Stedman, who is seen looking on with supreme satisfaction, while lady Shuckburgh appears in the distance in evident dismay.)

"(Copy 4.) — Madam,—Lady Shuckburgh has directed me to acquaint you that she declines answering your note, the vulgarity of which is beneath contempt; and although it may be the characteristic of the Sheridans, to be vulgar, coarse, and witty, it is not that of 'a lady,' unless she happens to have been born in a garret and bred in a kitchen. Mary Stedman informs me that your ladyship does not keep either a cook or a housekeeper, and that you only require a girl who can cook a mutton chop. If so, I apprehend that Mary Stedman, or any other scullion, will be found fully equal to cook for, or manage the establishment of, the Queen of Beauty. I am, your ladyship's, &c., ELIZABETH COUCH (not Pouch)."

—. MELANCHOLY DEATH OF TWO YOUNG LADIES.—On Sunday morning, as the misses Ruth and Eliza Congreve, who were on a visit to their brother, Mr. D. Congreve, at Deeping High Bank, were crossing the river Welland in a skiff, for the purpose of attending church, the wind came on to blow very high and splashed the water into the side of the boat. The young ladies incautiously shifted suddenly to the other side, when the frail vessel instantly upset, and both of them were drowned. The boy who was rowing swam to the shore and was saved. Both young ladies were distinguished for their personal charms; and the eldest of the two was engaged to be married on the week but one following this melancholy event: the bodies were recovered in twenty

minutes after the accident, but life was quite extinct.

10. Dinner to Mr. Byng, M. P. for Middlesex.—A public dinner was given by the political friends of Mr. Byng, in celebration of his services for fifty years as member of parliament for the county of Middlesex. The dinner took place at Drury-lane theatre, which was splendidly illuminated and decorated for the occasion. The pit was raised to a level with the stage, so that the tables extended from one extremity of the theatre to the other. At the back of the stage were two brilliant illumination stars, in the centre of either of which the letters "V" and "A" were conspicuous. The boxes and galleries were filled with spectators, the former almost exclusively with ladies.

At six o'clock Mr. Byng, accompanied by lord Charles James Fox Russell, lord Holland, the earl of Albemarle, the earl of Rosslyn, lord J. Russell, lord Howick, Mr. Gisborne, Mr. Ellice, Mr. Hume, &c., entered the theatre, and was received with the loudest acclamations. The chairman rose to propose the health of "The Queen," which being responded to in the most enthusiastic manner, the healths were successively drank of the "Prince Albert," "The Duke of Sussex, and the rest of the Royal Family."

The chairman then rose to propose the "Health of Mr. Byng," passing a high eulogium on the private character and public conduct of the hon. member for Middlesex.

Mr. Byng returned thanks for the honour done him, and was repeatedly cheered in the course of his speech. In conclusion he gave as a toast, "The Reformers of Middlesex."

The duke of Bedford gave "The people, the legitimate source of power." (Cheers.)

Mr. Gisborne proposed the "Health of Lord Melbourne and her Majesty's Ministers." (Cheers.)

Lord J. Russell returned thanks, but not one word of his speech reached the position assigned to us. We may, however, say, that his lordship was much cheered during its delivery, and concluded by giving (as we understood) "Equal laws and equal justice throughout the British empire." Immediately afterwards he left the theatre.

The following toasts were afterwards drunk—"Full and complete reform of all abuses" (acknowledged by Mr. Sheil), "The Reform Press," "The Chairman," "Mrs. Byng and the Ladies of Middlesex", "The Vice-chairman," "The Stewards," &c.

The following letter in excuse was received from the Duke of Sussex: —

"*Kensington Palace, Wed., March* 10.

"My dear lord—Most willingly would I accede to the wishes of the stewards who are charged with conducting the dinner proposed to be given this day to my old friend Mr. Byng, as communicated by you to me, were I able to attend.

"The uninterrupted public and private services which that hon. gentleman has rendered to this country by a faithful discharge of his duty as a member for the county of Middlesex during the period of half a century, call for a demonstration of gratitude not only from his constituents, but likewise from every friend of free-

dom, and most particularly from every advocate of liberty of conscience.

"The manly and uncompromising manner in which Mr. Byng has stood forth not only to maintain those principles in times of great difficulty and of personal danger, but also to support other champions of the liberties of their country during the struggle, demands the approbation of every honest and upright man.

"Long may he live to enjoy the recollection of those honours which no doubt will be showered upon him this day. They will prove not less gratifying to his friends and admirers than to himself.

"To have contributed by his own vote and personal exertions towards the repeal of the Test and Corporation Acts—to have assisted in expunging from the statute-book the penal laws enacted against her majesty's loyal Roman Catholic subjects—to have aided in carrying out the Reform Bill, regulating the representation in parliament—to have voted for the abolition of the East India monopoly trade—to have supported the act for emancipating the black population of our colonies, and to be still giving his time and personal attendance to countenance every plan and proposal having for its object the general and gradual improvement of the country and the community at large, besides his constant and munificent contributions in aid of every charitable and benevolent institution, not only in the county of Middlesex, but throughout the land, which prefers to relieve the poor and the afflicted, as likewise to advance the intelligence, to encourage the moral habits, and to promote the industrious exertions of the lower orders of society—these are lasting obligations which Mr. Byng has conferred upon the British nation, and for which they can never repay him.

"When my hon. friend looks back upon these eventful and interesting occurrences, which I have thus hastily traced, he will have the satisfaction to find and to know, that his time has been well spent, that he will leave a good name behind him, respected by every virtuous and good man, who will hold up the name of Byng to his children, as a bright example of a true patriot, for them and posterity to imitate.

"All this I would have said, and much more, were I present, as I love, respect, and admire the old English gentleman, both on the score of his public as well as his private character, but, unfortunately, at this season of the year, I am forced to avoid exposing myself to the easterly winds, which are very prejudicial to my health. Under these circumstances, therefore, you will oblige me, my dear lord, by making my apology to the stewards, while explaining the cause of my absence, and by expressing, likewise, my regret to Mr. Byng at being debarred the pleasure of witnessing my old friend's welcome, accompanied with that general demonstration of love, gratitude, and esteem, which he so richly deserves, and which, no doubt, he will receive from the noble and highly respectable company congregated together on the present occasion.

"Pray assure him of all this, as likewise all friends admitted to the festival, that I am heart and soul with them in the cause which they are met to celebrate. Be-

lieve me, my dear lord, with great sincerity, your truly attached, &c.,
F. Augustus."

11. Accident to the Duc de Rovigo.—The duc de Rovigo (son of Savary), who married last summer the accomplished daughter of the late colonel Stamer, of Carnelly, county of Clare, met with a serious accident about a fortnight since, while following Mr. Westrop's hounds in the neighbourhood of Limerick. In taking a wall, the horse stumbled and fell on the duke, who was taken up senseless. On examination it was discovered that his bridle arm was broken, and his head much contused. He is however now free from danger, and is doing well.

17 Sir E. L. Bulwer and Lady Bulwer, *v.* Proprietor of the Court Journal.—In the secondaries court, a jury assembled to assess damages in an action for libel brought in the names of sir Edward Lytton Bulwer and lady Bulwer, but really by lady Bulwer alone, against the publisher of the *Court Journal*. In a paragraph of that paper, on the 19th October last, inserted among the Paris news, lady Bulwer was accused of acting towards her brother-in-law, Mr. Henry Bulwer, at a party at lady Aylmer's, in a manner to excite disgust in the minds of all the English in Paris. It was said, that when lady Bulwer encountered Mr. Henry Bulwer, she placed her arms "a-kimbo," and made a "series of grimaces" and "vulgar gestures," not "equalled since the best days of Grimaldi." This story had been positively contradicted by lady Bulwer; who, in a letter to the *Morning Post*, also said, she knew "the contemptible quarter from which the journal got its malicious falsehoods." A modified apology only was offered; and the jury gave the plaintiff 50*l*. damages.

23 Barbarous Murder.—On Monday night, Mr. John Templeman, an elderly man of small property, living in a cottage in Pocock's Fields, Islington, near the Barnsbury Road, was murdered, by persons whose object evidently was plunder. Mr. Templeman, though really in narrow circumstances, wished to have his neighbours suppose that he had hoarded money and was very wealthy. On Monday last, he went out to collect rents of houses due to him; and when he came home in the evening, told a woman who was in the habit of preparing his meals and cleaning his room, that his tenants had paid him in silver. He appears to have gone to bed at the usual time; but on Tuesday morning, the daughter of the woman having called at Mr. Templeman's cottage with some writing-paper he had ordered to be bought, found the door fastened and the shutters down. She told her mother; who went to the cottage, and looking through the window of the bedroom, on the ground-floor, saw the body of Mr. Templeman, his hands tied together with a cord, a bloody stocking fastened over his eyes, and his head smashed and bleeding. Instead of going to a policeman, she waited till eleven o'clock; when her son-in-law, Francis Cipriani, a Frenchman, and private watchman at Sadler's Wells Theatre, called upon her; and she acquainted him with the circumstances. Cipriani went to Mr. Herbert Templeman, grandson of the deceased, a solicitor, residing in Mortimer Street, Cavendish

Square; but said nothing of the murder to the police; who, however, soon obtained information of it, and proceeded to the premises. Cipriani was taken before the Hatton Garden magistrates, and remanded on suspicion but on Wednesday he was released, there really being no evidence against him. Three other persons have since been arrested, — Richard Gould, a man of bad character, and John and Mary Ann Jarvis. Gould was known to be intimate with the woman Jarvis. From evidence given on Wednesday at the Hatton Garden office, it appears that Gould was out nearly all Monday night; that he was seen washing blood-stains off his clothes on Tuesday morning by Mary Anne Allen, at whose house he lodged; and that he made use of several expressions which struck her as strange—such as that "many poor fellows would rather be hung than transported," and that he did not believe in the bible. A stocking containing 4*l.* 19*s.* in silver was found concealed in the roof of Mary Allen's cottage. At Jarvis's, the bed-clothes were stained with blood; and a chisel was found, which fitted marks in the windows of Templeman's cottage, which it appeared had been forced open. Other minute circumstances were mentioned tending to increase the suspicions against the prisoners; and they were remanded, till further evidence could be procured. Gould, Jarvis, and his wife, are all about the same age—twenty-four.

At a subsequent examination Allen, at whose house Gould lodged, stated some particulars of Gould's movements on Monday and Tuesday, tending, though but slightly, to increase the weight of testimony against him. The most important circumstance was the disappearance of a sharp knife on Monday. Allen gave his testimony very much like a person eager for the conviction of the prisoner. Gould said, that the stains of blood on his clothes were old stains, and he wished them to be examined closely by the surgeons, who would find that such was the fact. When he was accused of the murder, he said, alluding to his own indifferent character—"Ay, give a dog a bad name and hang him."

After several re-examinations he was fully committed for trial on the charge of wilful murder. Mrs. Jarvis was discharged. The coroner's inquest returned the same verdict.

24.—Barbarous Murder in a Canal Boat, near Manchester. —About nine o'clock on Sunday morning it was discovered that a man, named William Cheetham, a boatman in the employ of Mr. W. Shepherd, of Rochdale, had been, to all appearance, barbarously murdered in the cabin of his boat, which plies on the Rochdale and Manchester canal, and was then lying at a place called Brown's Field, in Manchester. Deceased was found lying partly on the floor of the boat cabin; there were several wounds on his head and face, which it was suspected had been inflicted by a large wooden mallet that was found, stained with blood, on the floor of the cabin. A bloody piece of brick was also found on the side of the canal, near the boat, and large clots of blood were observed on the floor of the cabin.

The first information of the circumstance was given by John Clayton, the captain of the boat,

and James Hanson, another boatman, belonging to the same vessel. The body when found was still warm, and, after it had been removed to the infirmary, both the men were taken into custody, but were afterwards set at liberty. Hanson, however, was again apprehended, it appearing that he had slept in the boat all night, and other facts having come to the knowledge of the police which tended strongly to criminate him.

Yesterday evening an inquest was held on the body, when the following facts were given in evidence:—On Saturday afternoon, the captain of the boat and the two men (deceased and the prisoner), were drinking together till half past six, when the deceased left them to return to the boat, and a little before eight the captain also left the prisoner, and proceeded by the Leeds railway to Mill's-hill. The deceased, it seemed, had returned to the boat, and about eight o'clock a man dressed like the prisoner was seen throwing stones at another in the cabin of the boat, and was heard to threaten to kill him; he was also seen to give him a kick, which one of the witnesses said, he thought must have caused death. While this was going on, the man in the cabin was heard to cry "Watchman," and "murder," several times, but strange enough, no one went to his assistance, the excuse of those who heard him being that quarrels amongst the boatmen were so common that they thought nothing of it, or were afraid of interfering. After the assailant had kicked his victim, all was still, and nothing more was seen or heard until morning, except that the man who had thrown the stones into the cabin was observed to go down, fetch them out, and throw them upon the bank of the canal. The captain returned to Manchester next morning, about nine o'clock; and the first thing he saw, was the prisoner standing at the door of the public house where he had left him the preceding night. He said to the captain, "Will (meaning the deceased) is dead in the cabin;" but on the captain expressing surprise, he put it off with a smile, and added, "No; but he has such a face as thou never seed." They both went on board, and found the deceased in the state described above; several parts of the cabin floor were bloody, and one mark, about the size of a half-crown, appeared to have been caused by repeated droppings.

Mr. Smith, the house surgeon to the Manchester infirmary, stated, that on examining the head and body of the deceased he found two or three slight lacerations of the scalp, and effused blood under the scalp; a fracture of the skull, extending from the top of the head to behind the left ear; and inside the skull there was a very large quantity of blood effused, which had pressed to a considerable extent on the brain, and caused death. A fall or a blow might have produced the injuries to the skull, but not a blow from the fist. They might have been caused by several blows. The deceased could not have retained his senses long after receiving those injuries.

The prisoner's account of the matter, which he professed to have received from the deceased, and which he had given to one of the policemen, was, that while the deceased was left alone in the boat, it was entered by four men and a woman, who beat and kicked

him severely, and took away several articles belonging to the boat.

27. PARIS—TRIBUNAL OF CORRECTIONAL POLICE.—LADY BULWER *v.* LAWSON AND THACKERAY. —This cause has excited much interest among the Parisians. Lady Lytton Bulwer, in obedience to the command of the court, appeared in person, accompanied by Mrs. Trollope. She was pronounced an "elegante," and when asked to name her age, mentioned thirty-five. M. Berryer was her leading counsel; M. Blanchet appeared for Messrs. Lawson and Thackeray, and M. Odillon Barrot for sir Edward Lytton Bulwer. The main question before the court was, whether the action could be maintained by lady Bulwer without the consent of her husband. M. Odillon Barrot, on behalf of sir Edward Bulwer, refused that consent, and contended that the refusal was fatal to the progress of the cause. M. Berryer commented severely on sir Edward's conduct, in shielding a defendant who attempted by bribing lady Bulwer's maid to gain possession of her private papers, and was detected in one of her private apartments—

"It has been said, that lady Bulwer aimed at public scandal, and that it was necessary to prevent a bold and rash woman from revealing the secrets of the domestic life of sir Edward Bulwer and herself before an audience of foreigners. There was no such danger to be feared. Sir Edward Bulwer had no reason to fear, that his wife would violate public decorum. Lady Bulwer complains that her dwelling has been violated, and that her name has been outraged in a public journal. This is her complaint. There is no scandal in this. She has demanded reparation for the outrage upon her name under a sense of the respect due to her honour, and even to that of her husband. Yet that husband, who had consented to and authorized the residence of his wife, under the protection of the laws of France, where she resides in honour, when he heard that she had been exposed to insult and outrage, and demanded reparation, has hastened to snatch from her the means of obtaining it. Is this the protection due to a wife? is this the way of showing regard for public decorum? But this is not all. We complain of two offences against lady Bulwer; and, by an unguarded admission, the offenders have denounced the husband as the instigator. I was astonished that a husband should have denied to his wife the means of obtaining reparation for an offence of which she has been the victim; but I am now more astonished that it should be said in the name of Messrs. Lawson and Thackeray, that they acted up to the offence itself by the order of the husband. * * * * The foreign female, living honourably in France with the consent of her husband, and who has to complain of an offence against her person—who has been insulted, menaced, and attacked—must surely be entitled to the protection of the laws of the country in which she has fixed her residence. In cases of this nature, the authority of the husband cannot be requisite. Lady Bulwer is morally and honourably entitled to demand reparation for the violation of her dwelling, and the outrage upon her name. I cannot comprehend, unless it be by the strange avowal made by the counsel for Messrs. Lawson and

Thackeray, how a husband could cross the seas to come before us and say, I will not permit my wife to demand reparation for the outrage which she has received. I will say to this gentleman, you have no more control—you have renounced it by your deed of separation, and in your own country you would be compelled to fulfil your engagements. If I were in England, I would say to the tribunal, in the name of the Queen of the Three Kingdoms, I plead for a woman, whose husband has refused to her his authority to demand justice; and I would ask for that woman the reparation which the law was bound to grant to her. In England, the personal suit would be received with the guarantee of the attorney, if there were a question as to the responsibility of the husband. This is the law of the case: what is its morality? It is said, that we seek for scandal. Scandal, indeed! the scandal is in the offence, not in the complaints; the scandal is in the protection which is given to the guilty."

M. Odillon Barrot disputed the soundness of M. Berryer's law; and the procureur-du-roi suggested that lady Bulwer might have taken a course in which her husband's assistance would have been unnecessary—

"Lady Bulwer might have addressed herself to the public law officers, denouncing the offence; and, on their taking it up as a public prosecution, if on investigation it should have appeared that an offence against the laws had really been committed, she might have appeared in court and given evidence as a witness. By this simple course she was sure of obtaining justice."

The court decided, that the husband's consent was necessary; and ordered lady Bulwer to pay the costs, unless she should appeal from the decree.

It is said that lady Bulwer will eitherappeal o the Cour Royale, or take the course suggested by the Procureur-du-roi.

APRIL.

3. Rolls' Court — Bransby Cooper *v.* Butler.—Mr. Turner and Mr. Rogers moved, on the part of the plaintiff, Mr. Bransby Cooper, for an injunction against the defendant, Joseph Butler, that he might be restrained from printing, publishing, or exposing to sale, a book called *Dislocations and Fractures*, by sir Astley Paston Cooper, bart., with important additions, edited by Mr. Alexander Cooper Lee. The motion was made on the affidavit of the plaintiff, that his uncle sir Astley Cooper, in 1824, wrote a *Treatise on Dislocations and Fractures of the Joints*, and in 1830 he gave to the plaintiff and assigned to him by deed the copyright of the book, and the sole and exclusive property thereof. The book had passed to the 10th edition, but the plaintiff, on the 16th of March last, first discovered in the *Medical Times* of December, 7, 1839, an advertisement of new and important medical works, one of which was *Dislocations and Fractures*, by sir Astley Cooper, bart., &c., which was inserted in the paper by the direction of the defendant, upon which he went to the defendant's shop, and where the defendant told him he was about to publish the work. The advertisement showed that the

work intended to be published was that of sir Astley Cooper, assigned to the plaintiff.

Order for injunction granted.

6. Distressing Case of Drowning at Trinity College, Cambridge. — Mr. Temple Frere, who had been keeping his terms at Trinity college, Cambridge, a young man of very high promise and great popularity in the University, had just come by his death in the following manner:— A fellow student, named Henderson, with two or three others, had, it seems, been supping together on Saturday night, and sallied forth some time after midnight to have a walk in the cloisters before going to bed They there met with Mr. Frere. when, after some conversation, one of the party proposed getting out of the college for a stroll into the country. It being contrary to rule for any student residing inside the college walls to pass through the gates after ten o'clock, it was agreed upon to get out over the wall of the master's garden, which abuts upon the Cam. There is another wall which joins this garden wall, and extends also by the river towards the outward walk in front of the library, and in getting on to this Mr. Henderson missed his footing and was precipitated into the river. Mr. Frere had succeeded a minute before in getting clear of the second wall, and was, when his companion fell into the water, standing safe on the bank. Urged by the danger of his friend, who, it appears, did not know how to swim, he instantly threw off his coat and jumped in to save him. Whether the unfortunate gentleman was seized by the cramp, or was encumbered with his clothes, and so stuck fast amongst the weeds and mud at the bottom of the river, is not certain. He was heard to tell Mr. Henderson to get on his back, which he did; but instantly perceived Mr. Frere sinking, so that he was induced to throw himself off, and cling again to the roots of ivy until assistance arrived, when Mr. Frere suddenly disappeared, and was no more seen—there was no struggle, and merely a bubble on the surface of the water. His lifeless body was dragged out of the water at four o'clock by the porters and others of the college, who were called up by his friends. Mr. Henderson remained clinging to the roots of some ivy towards the lower part of the wall until his companions pulled him up by means of a rope which they had procured from the porter's lodge. They had previously attempted this with their gowns tied together, but Mr. Henderson refused to trust his weight to so slender a substance. He was thus left standing for nearly a quarter of an hour in about four feet of water, and close by the spot where his friend had perished in his humane attempt. The consequence is, that Mr. Henderson is confined to his bed, and remains very ill from the effect of cold, and the great shock his feelings have sustained by the distressing event. An inquest on the body of Mr. Frere was held before Mr. Cooper, the town coroner, on Sunday morning, at the Sun Hotel, when the facts just stated came out in the evidence of the young men examined, who had been of the unfortunate party, as well as that of a townsman who had been fishing on the opposite bank, and offered every assistance in his power to save Mr. Frere, but to no purpose. The jury re-

turned a verdict of "Accidental drowning." The body on Saturday night, when this account was written, lay at deceased's rooms, awaiting the funeral arrangements of the family, to whom an express was despatched by the Master of Trinity. The fact of the poor young man having lost his life in a brave and humane effort to save that of his friend places his death in a more melancholy light; and an equally melancholy coincidence connected with it is, that his younger brother, an only one, perished last year at a school which was burnt down near Harrow. Mr. Temple Frere was the son of the rev. Mr. Frere, of Roydon, and nephew to the late master of Downing, Mr. serjeant Frere.

9. Sheriffs' Court, Red Lion-square. — Shephard *v.* The Prince of Capua.—The plaintiff, Henry Shephard, was hostler at the Royal Hotel, Richmond, kept by Mr. Topham, and the defendant was his royal highness Carlo Ferdinando Borbone, prince of Capua. The action was brought to recover the sum of 16*l.* 2*s.* 6*d.*, for the use and occupation of a certain apartment, and for work and labour and services rendered by the plaintiff to the defendant at his request, to which his royal highness had pleaded; first, that he never was indebted, and secondly, that he had paid the amount. In the month of August, 1838, his royal highness went to live at the Royal Hotel, Richmond, and having a great many horses there, which could not be taken care of by Mr. Topham or by his servant, the plaintiff, his royal highness requested Shephard, that he would employ a sufficient number of men to look after them, and take a room for one of his servants, the coachman, so that he might be constantly on the spot, and he would pay him for doing so. The plaintiff did as he was desired by the prince, and hired certain persons as assistants or helpers, whom he had paid for their services out of his own pocket. The defence set up was, that his royal highness had paid Mr. Topham, who was to be called to prove the fact, but the sum claimed by the plaintiff never had been paid by the prince, or charged for by Mr. Topham, as the services rendered by Shephard were special, and never could have been done by Mr. Topham or his regular servants.

Mr. Phillips addressed the jury for the defendant, after which

The Under-Sheriff summed up, and said, the only question for the jury was, had the defendant entered into the agreement with the plaintiff which had been alleged, and if so, the plaintiff was entitled to recover.

The jury found for the plaintiff, damages 13*l.* 12*s.* 6*d.*

12. Inquest on Mr. W. S. Poyntz, formerly M.P. for Midhurst. — The death of this gentleman presents a singular fact in pathology. He expired suddenly, at his house at Hampton Court, at his dinner, on the 8th of April, with convulsive movements of the face and hands, the consequence of a want of power in the heart to continue to carry on the circulation. This cessation of nervous energy in the heart was the result of an injury received by him seven years ago. In 1833, Mr. Poyntz fell from his horse on his head, when his chin was forced on his breast, and produced a dislocation in the spine,

which was found at the *post mortem* examination made by Mr. Liston, of Old Burlington-street, and Mr. Holberton, the medical attendant of Mr. Poyntz. Since that accident he had never been so well as before, and during the last two or three years had occasionally experienced brief faintings, from a total cessation of the heart's action, presenting symptoms precisely like those which were described to the jury, but with this difference, that from the last, which lasted under a minute, he did not recover. The surgeons discovered the processus dentatus of the spine displaced forwards, diminishing the spinal canal, and consequently, the spinal marrow, one-third in diameter, just below the skull, where the chord begins to meet the brain. The injury was evidently of old standing, and, in Mr. Holberton's opinion, was, through the heart, the cause of the death. Thus was established the singular fact, that death resulted almost instantaneously from an injury inflicted seven years before. But few such cases are on record. The butler, Thomas Francis, who had lived with Mr. Poyntz for fifteen years, stated at the inquest that the health of Mr. Poyntz, who was seventy-one years old, was apparently better than usual on the day of the fatal attack, though he was rather depressed in spirits. He had taken nothing unusual, nor been from home on that day. He always lived by medical rule. When the fainting fits came on, stimulants, and dashes of cold water on the face were formerly used, but the surgeon directed the former to be discontinued, as they did not lessen their duration, but rather increased them, and the attacks being more frequent when the stomach was disordered, it was desirable to withhold spirits and medicinal stimuli from their subsequent injury to the stomach. Singularly, no paralysis or injury of the intellect followed the injury of the spine in 1833. All the valves of the heart were healthy, and no unnatural sounds were ever detectable in the chest. The dura mater of the brain was found attached firmly to the skull, and effusion under the arachnoid membrane. When well, the pulse counted about twenty-five or twenty-six in the minute, at other times not more than eight or nine. Mr. Holberton distinctly considered, that if the fall in 1833 had not occurred, Mr. Poyntz might have been alive at this moment. He was very greatly respected at Hampton Court, where the breaking up of his establishment will be much felt.

15. THE OXFORD AND CAMBRIDGE UNIVERSITIES' EIGHT-OARED CUTTER MATCH.—The match between the gentlemen of the University of Oxford, and the gentlemen of the University of Cambridge, to row from Westminster-bridge to Putney in eight-oared cutters, which has for some time past created great interest amongst the sporting circles and on the river, came off according to the articles of agreement yesterday. For some time before the start took place, the western side of Westminster-bridge was crowded with spectators, who climbed upon the balustrades, and formed a living mass closely jammed together. Along Millbank, there was a perfect mob, and on the opposite side of the water every place that could afford a view of the race was occupied. Vaux-hall-bridge was completely

filled; and so were also Battersea and Putney bridges. In short, excitement and curiosity was so great, that it would be difficult to point out any spot from one *terminus* of the race to the other on the banks that had not an occupant. The boats were both built purposely for the match. The Cambridge boat was built in the yard of Searle; and the Oxford boat, though country built, was an equally clever craft.

The Oxonians had the lead, and at Vauxhall-bridge were a boat's length in advance of the Cantabs. The betting was now even, and it was plain the Oxford boat was becoming the favourite. This state of things did not, however, continue long. The Cambridge boat drew quickly upon her adversary as the boat approached the Red-house. At this point the Oxford boat appeared to get too close to the south bank of the river, and very shortly the Cambridge boat was a-head. At Battersea-bridge the Cambridge boat was half a length before the Oxford boat, and it became apparent, that, barring accidents, she would be the winner. The Oxonians, however, made every effort to get a-head, but in vain. The Cambridge boat reached the goal of victory by a length, or very nearly so, before her opponent, and was greeted with the cheers of the assembled multitude. The match was rowed within half-an-hour, or very nearly so; there was some difference of opinion as to the precise time, making a variation of two minutes. Be this as it may, a better contest has perhaps never been witnessed; and it is not a little refreshing to the real lovers of old English sports and manly exercise, to find these sorts of amusements beginning to supersede the swindling, dangerous, and absurd practice of steeple chasing—things merely got up by publicans and horsedealers to pillage the unwary and enrich themselves.

20. Execution of James and William Lightfoot for Murder.—On Monday last, in front of the gaol at Bodmin, these wretched men, who were convicted at the late Bodmin assizes of the foul and wilful murder of Mr. Nevell, Norway timber merchant, of Wadebridge, suffered the extreme penalty of the law—a legislative enactment which tends to harden the feelings of the spectators, and which time has proved not of the least value as an example. For a long period after their condemnation, the unhappy culprits displayed the same callous indifference which marked their conduct during the trial. Although aware of the ignominious death that awaited him — there being no earthly chance of a commutation of the sentence—the eldest prisoner added falsehood to the brutal crime; he sent the rev. F. Kendall, the chaplain, a distance of ten or twelve miles, to a spot where he said he had hid the money, but it could not be found; and he afterwards stated, that he had deposited the money in another place, which he described accurately, but the rev. gentleman was equally unsuccessful in his search. The prisoner James, however, told the exact place in which they had placed the brass-work of the pistol used in the murder; it was found in the thatch of a pig's house attached to his dwelling.

On the 7th inst. the prisoners had a farewell interview with their

families. It was of the most distressing description. After the departure of their wives and children, they appeared to be conscious of the awful situation in which they were placed; they became communicative, listened more attentively to the exhortations of the rev. F. Kendall and the rev. W. Molesworth, whose parishioners they were, Great hopes are indulged that the unhappy men were actuated by sincere feelings of repentance. On Saturday, they made a full statement of all the circumstances connected with the fatal act.

On the following morning (Sunday) they attended the chapel belonging to the jail, when an appropriate sermon was preached by the chaplain, from Acts. xvi. 25.—"And at midnight Paul and Silas prayed and sang praises unto God; and the prisoners heard them;" and in the afternoon, the rev. F. Cole, of St. Feock, delivered an impressive sermon, from Romans vi. 23.—"The wages of sin is death," to which the prisoners paid the deepest attention. After the service, they returned to their cell, ate and drank heartily what was given them, retired to bed at the usual hour, and slept soundly all night.

Monday morning, shortly before eleven, Mr. Smith, the undersheriff, proceeded to the cell, when portions of scripture were read by the rev. Mr. Kendall, and the sacrament administered to the prisoners by the rev. W. Molesworth. During the whole of this trying scene, the brothers evinced the greatest fortitude. They were then conducted across the yard to the place of execution, preceded by the clergyman, reading the burial service—"I am the resurrection and the life," &c. The unhappy men were ghastly pale, but were perfectly collected, walked with a firm step, and ascended the ladder without the slightest assistance. William, the eldest, appeared to maintain greater composure than his brother, whose lips moved in prayer as he walked from the press room to the drop; but there was nothing in his demeanour which could lead one to suppose otherwise than that he was fully aware of the awful punishment which he was about to suffer. Before being placed on the drop, they shook hands with the persons around them, and thanked the clergymen and others for their kindness and attention. After the ropes had been adjusted, and the caps pulled over their faces, William asked for the rev. Mr. Cole, and said—"Remember me to my wife and children, and say I died happy." James also said—"Remember me to my wife, and say I died happy, and tell her that I hope she will go to church regularly, and prepare to meet her God." The fatal bolt was then drawn, and in a few seconds the unhappy brothers ceased to exist.

An immense multitude—upwards of 10,000 persons—witnessed the dreadful end of their fellow-creatures. Immediately after the removal of the bodies from the platform, the public-houses were filled, and the usual scenes of debauchery and drunkenness attending an execution took place in the town.

27. The late Stabbing Case at Hayes.—It will no doubt be in the recollection of our readers, that at the April sessions of the Cnetral Criminal Court last year a young gentleman, named Francis Hastings Medhurst, was tried on

the coroner's inquisition for wilful murder, and on an indictment for manslaughter, for having stabbed with a French knife a young gentleman, his schoolfellow, named Joseph Alsop, on the 9th of that month, at the house of the rev. Frederick Sturmer, at Wood-end-green, Hayes, and that he was convicted of the manslaughter and sentenced to three years' imprisonment in the house of correction; but, as hard labour was not attached to the sentence, he was permitted to occupy rooms in the house of the governor of the prison, where books and other accommodations were allowed him. It will also be remembered it was there stated Mr. Medhurst, would be entitled to considerable proprety (said to amount to 7,000*l.* per annum) on the death of his grandfather, Granville William Wheeler Medhurst, Esq., of Medhurst-hall, Yorkshire. That event took place on the 3rd inst., at the age of seventy-seven years, at the establishment of Dr. Stillwell, Morecroft-house, Wellington, near Uxbridge, of which the deceased gentleman had been an inmate for many years, having in the year 1804, in a fit of excitement, shot his lady while standing at one of the windows of Medhurst-hall. Mr. Medhurst is now of age; but whether, under the peculiar circumstances in which he is placed, he will inherit his property, or it will be forfeited to the crown, we have not yet heard. Considerable dissatisfaction prevailed at the time of the trial, in consequence of the difference between his sentence and that of Mr. John Bull, who was convicted at the February sessions of the same year of manslaughter, for having stabbed a man named William Rushbrook, at Hoxton, on the 19th of January, and sentenced to three years' hard labour, and one month solitary confinement each year; which dissatisfaction increased in August last by the conviction of a boy only fifteen years of age, named Coker, for stabbing a man named Moses Yates at Harefield, and his sentence being transportation for life, the difference in the exciting cause being in the favour of the two latter prisoners.

29. Ludicrous Fracas in the Italian Opera House.—In the evening of this day, a scene occurred which threatens to bury in oblivion the memorable days of 1809, and the word "Tamburini" may henceforward be considered a sort of warhoop synonymous with "O. P.," though widely different in etymology. At the conclusion of the opera of *I Puritani* several voices began calling for M. Laporte, and shouting out "Tamburini!" Laporte came forward and began making a very lame speech. He perceived the indignation of the audience arose from his not engaging Tamburini, and proceeded to explain that omission by saying, that before Easter it was impossible to engage first-rate talent. "Easter is over," cried a voice. True, he admitted that Easter was over, but still he had entered into arrangements, &c. Here came a torrent of groans and hisses, which rendered him inaudible, a party in the "omnibus" box being the ringleaders. Laporte so clearly perceived this, that in a few minutes his speech to the audience merged into a private conversation, carried on in a low tone of voice, with the occupiers of the "omnibus." The noise increased, and Laporte declared that he was not to be "intimidated," a word which roused

the "omnibus" party to a perfect fury. He retired, and the curtain rose for the ballet, in which a new dancer was to have made her appearance. The noise now became terrific; yells, hisses, and all sorts of uncouth sounds were blended in frightful harmony. The dancers, perceiving all attempts were in vain, and at the same time being afraid to quit the stage, seated themselves quietly round, to the great amusement of the omnibusites.

Again and again Laporte came forward and tried to bring matters to a settlement, at the same time compromising himself as little as possible. On one occasion he declared that, being manager, he had a right to engage performers according to his own discretion, and that he was not to be responsible to an audience—an assertion which only poured oil on flame. At another time he said his engagements would not allow him to have Tamburini, and that he did not want to be ruined, but all statements of this kind were utterly useless, save to produce an augmentation of noise. He alluded to the many years he had catered to the amusement of the public; and this little bit of the pathetic enlisted some partisans on his side. The managerial party were chiefly in the pit, and raised a counter-cry of "Shame!" "No Tamburini," "No intimidation," while a gentleman from a box shouted, "Turn the omnibus out." It was a mistake, however, to identify the disturbance with the omnibus, for, though the parties in it were very conspicuous, they represented the feelings of the house, and the stalls were among the most formidable of the Tamburinists. The dancers had been on the stage for upwards of an hour doing nothing, there was no chance of anything proceeding, and the house began gradually to thin, leaving only the decided partisans of either side. The conversation in the pit became anxious, things must come to some crisis or other, and what the crisis would be was a common subject of inquiry. At last there seemed to be some prospect of a good understanding. Laporte came forward and talked of engaging Tamburini on conditions; this word "conditions" upset all, and the Tamburinists asked, "Will you engage him—yes or no?" Laporte said he would make proposals, and if those proposals, &c. This would not do; "Yes or no?" said his persevering interrogators. "Say no!" said his supporters. He began talking about terms, "Same terms as last year," shouted all the omnibus, upon which he retired without proposing anything satisfactory. Every one was getting tired, when at last a gentleman, in the box opposite the omnibus, stepped over the front of his box upon the stage; he was followed by a party, the omnibus party entered the stage from the opposite side, and at one o'clock the Tamburinists had taken possession, and waved their hats triumphantly on the stage as the curtain fell.

Induced by this affair, Signor Tamburini has written the following letter to the editor of the Times in explanation of his relations with M. Laporte.

To the Editor of the Evening Mail.—Sir; Having had the honour of remaining at Strathfieldsaye, in attendance upon his grace the duke of Wellington, during the week just elapsed, I had not

the opportunity, if I had the inclination, to notice what has occurred at her majesty's theatre with regard to my non-engagement. But since my return to town I have had translated to me, by my friends, several extracts from the papers, stating that my not being engaged arose from my having demanded higher and most extravagant terms. I now feel it would be wanting in respect and gratitude to the public, if I should allow it to be believed that such a cause has separated me from my kind patrons of her majesty's theatre. Therefore, however loth to interfere, I feel it a duty I owe to the public and myself to make known that I never demanded any increase of emolument. Having in November last written to Mr. Laporte to beg he would not leave me in uncertainty as to whether he would engage me, I received in answer the following note; since then I have never heard from Mr. Laporte. I have the honour to remain, Sir, your obedient servant,

A. Tamburini.

77, Quadrant, Regent-street,
April 27.

Paris, Novembre 17, 1839.

Je ne savais pas exactement votre nouvelle demeure, mon cher Monsieur, ou vous aurais ecrit plutot.

Il est en effet parfaitement convenable que vous soyez instruit à temps de ma situation, et de mes projets, et je vous sais beaucoup de gré de la preference que vous voulez bien me temoigner; la semaine ne se passera pas sans que cette question ne soit resolue entre nous, et je vous prie d'être assuré d'avance que je ne negligerai rien pour que nos relations ordinaires ne soient pas interrompus. Croyez moi, votre serviteur affectueux,

Laporte.

MAY.

6. New Royal Exchange.—The Gresham committee met to decide on the two plans for the Royal Exchange submitted to the committee by Mr. Cockerell, R. A., and Mr. Tite, president of the Architectural Society; and after a protracted discussion finally determined in favour of Mr. Tite by 13 votes to 7. The building will now be proceeded with without delay.

12. Oxford—Frightful Accident.—The rev. G. Grantham, senior fellow but one, and bursar of Magdalen College, met with his death last night by falling from the window of his room, on the second story, in the new buildings. He was found lying on the ground in the grove, about six o'clock this morning; and, as he usually threw up the sash of the window previous to his retiring to rest, it is supposed he overbalanced himself while so doing, as he was obliged to stand on a chair to reach it, and, the window being recently varnished, it very probably stuck, so as to require considerable force to move, and suddenly gave way. The deceased gentleman has resided in the college a great number of years, and was much respected both in the town and college.

20. Fatal Accident on the Thames at Windsor.—A lamentable and fatal accident occurred this evening about six o'clock to a young lad, about fourteen years of age, named Montague, the son of Mr. Montague, of Clapham, who was rowing on the river in one of

those skiffs with which the Thames at Windsor abounds, along with two other Etonians. They were proceeding up the stream, and just as they had passed through Windsor-bridge they met a barge, which was being towed by horses towards the college. The persons who were on the bridge, perceiving that their boat was between the towing-line and the shore, called out to the boys to lie down. Two of them attended to these injunctions, but young Montague, who refused to do this, called out to the men on board the barge to stop it, but at the rate the vessel was proceeding, and it being too close to the skiff to avert the danger, that was impossible. As the towing-line passed over the boat, and over the heads of the two boys, who had lain themselves down, Montague caught hold of it, evidently for the purpose of throwing it over his head. The line, however, appeared unfortunately to catch him under the chin, and in an instant he was dragged out of the boat into the water. Another barge passing by at the moment, it went completely over the spot where he was thrown in, and it was some seconds before he rose to the surface. Boats immediately put off from the shore, but too late to save the poor boy, as it appeared from his struggles in the water that he was totally unable to swim.

Captain Blaine, of the 2nd. regiment of Life Guards, stationed at Windsor, who, with other officers, was in a boat on the river at the time, hastened to the spot, threw off his clothes, and plunged into the stream (which at this place was upwards of twenty feet deep), in the hope of rescuing the unfortunate youth. The gallant captain, who remained in the water upwards of a quarter of an hour, dived in various parts near the spot where it was supposed he went down, but without success. At one period great fears were entertained for the safety of captain Blaine, whose noble feeling prompted him to this humane act. He remained at one time upwards of three minutes groping about at the bottom of the river. After the lad had been in the water nearly half an hour his body (by means of the drags of the Royal Humane Society, which are kept near the spot), was discovered under the centre arch of the bridge, and taken to the Catherine Wheel public-house close by, where the most unremitting exertions were used by the most eminent men in the two towns to resuscitate the body, but without their labours being successful. After employing two hours in endeavouring to inflate the lungs, rubbing his body, and the applications of hot flannels and a warm bath, they gave up the case as hopeless. The greatest praise is due to captain Blaine for his humane and meritorious, although unfortunately unsuccessful) exertions to save the life of the deceased.

An express was forwarded the same evening to the parents of the lad at Clapham with the painful tidings of their bereavement.

— Destructive Fire in York Minster. — York Minster has again narrowly escaped entire destruction by fire. About nine o'clock on Wednesday night, flames were seen to issue from the belfry at the south-western end of the cathedral. The alarm was given, and fire-engines were speedily brought to play upon that part of the building; but the fire

advanced so rapidly, that within an hour the belfry was reduced to a mere shell. The bells fell with a heavy crash through the floors. Very soon the flames reached the roof of the nave; from which the melted lead poured, in red-hot masses, upon the marble floor below, making sad havock of the carved wood-work and the windows in its course. Great exertions were made to prevent the fire from reaching the lantern-tower; for the entire building must have been destroyed had that happened. The conflagration was got under about two o'clock.

Next day, the fine old edifice presented a melancholy appearance. The roof of the nave was completely stripped off, and every pillar damaged. The choir, the beautiful screen, and the organ, were uninjured; but of the belfry only a few fragments remain. It is conjectured that the fire might have been caused by the carelessness of some workmen employed in repairing the clock; but a strict investigation as to its origin has been commenced. The injury is more extensive than that caused by the fanatic Martin.

22. Removal of the Remains of Napoleon to France.—Active preparations are in progress at the ministry of Marine, Paris, for the transportation of the remains of Napoleon from St. Helena to France. It appears that the corvette Favourite will accompany the Belle Poule frigate in the expedition. The corvette is to be fitted out as a *chapelle ardente*, and it is on board of her that the coffin will be deposited. A clergyman attached to the church of St. Louis has, it is said, been commissioned by the queen to accompany these precious relics.

Among the persons who are to perform the journey are generals Montholon and Gourgaud, and M. Emmanuel Las Cases, in the place of his father, whose health would not permit him to bear the fatigues of so long a voyage. It is not yet certain whether or not general Bertrand will join the deputation, to which M. Schoffer is to be attached as painter. Marchand, the faithful valet de chambre of Napoleon, should naturally proceed on this mission; but a difficulty was started with regard to the manner in which he should be treated by the prince de Joinville. A circumstance, however, settled the point of etiquette. M. Marchand is an officer of the Parisian National guard, and, as the devoted servant of the emperor, will insist on being near his remains. It has been agreed, therefore, that he shall take his passage, going and coming, on board the Favourite, and his rank in the civic militia will necessarily entitle him to a seat at the table of the commander of the corvette.

25. Roman Catholic Institute —Letter of Pope Gregory XVI to the Earl of Shrewsbury.—The members and friends of the "Catholic Institute" held a meeting at Freemasons'-hall yesterday, upon which occasion they mustered in full force, the hon. C. Langdale, M. P., presiding. Upon the platform we noticed lords Camoys, Strafford, Stourton, Clifford, and Lovatt; the hon. C. Clifford, Messrs. O'Connell, Husband (of Dunfermline), P. Howard, M. P., C. Weld, the bishop of New York, &c. The meeting was addressed by the chairman, lords Clifford, Camoys, and Stourton, the rev. Mr. Sisk, the hon. C. Clifford, Mr. O'Connell, and others, and a se-

ries of resolutions was unanimously agreed to, and a report detailing the progress of the institute during the last year. The latter stated, that the number of auxiliary branches of the institute had, within that period, increased to 44, being an addition of 25; that the amount of subscriptions, which at the former anniversary had been no more than about 600*l.* was now nearly 1000*l.*, and that the issue of tracts and other Catholic publications had increased from 38,000 to 218,000. The objects of the institute were described as being solely for the purpose of defence against the calumnious attacks which were made on the Catholic religion, for the instruction of the poor of that church, and for the protection of the poorer members of that faith. Mr. O'Connell addressed the meeting, and in the course of his speech offered a refutation of the assertions which had been put forth by those "enemies of his religion," and boasted in no slight degree of the forbearance which those who professed the religion of his forefathers were in the habit of exhibiting towards all other classes of Christians. Reference was also made to the subjoined letter, which had been sent to the president of the institute (the earl of Shrewsbury) by the pope, expressive of his approval of its establishment and the objects it professed to have in view, and accompanying such letter with his apostolical benediction:—

"POPE GREGORY XVI.

"To our beloved Son, John, Earl of Shrewsbury, President of the Catholic Institute of Great Britain.

"Beloved Son, health and apostolical benediction.—Whilst filled with sorrow on account of the ever-increasing calamities of the church of Christ, we have received such abundant cause of gladness, as has not only relieved us in the bitterness wherewith we were afflicted, but has excited in us more than ordinary joy, for we have been informed that by the care of yourself, and other noble and pious men, the Catholic Institute was, two years ago, established in Great Britain, with the design especially of protecting the followers of our divine faith in freedom and security, and, by the publication of works, of vindicating the spouse of the immaculate Lamb from the calumnies of the heterodox. Since, therefore, these purposes tend in the highest degree to the advantage of the English nation, you can easily understand, beloved son, the reason why such joy should have been felt by us, who have been, by divine appointment, constituted the heirs of the name and chair of that Gregory the Great, who, by the torch of the Catholic faith, first enlightened Britain, involved in the darkness of idolatry. We are encouraged to entertain the cheering hope that the light of divine faith will again shine with the same brightness as of old upon the minds of the British people. We desire nothing with greater earnestness than to embrace once more with paternal exultation the English nation, adorned with so many and such excellent qualities, and to receive back the long-lost sheep into the fold of Christ. Wherefore, beloved son, we cannot refrain from strenuously exhorting you, and all the members of the

pious association over which you preside, to offer up fervent prayers with us to the Father of Mercies, that He would propitiously remove the lamentable darkness which still covers the minds of so many dwelling unhappily in error, and in His clemency bring the children of the church who have wandered from her, back to the bosom of the mother whom they have left.

"Meanwhile, to you and to all your countrymen who belong in any way to the Catholic Institute we most affectionately impart our apostolical benediction.

"Given at Rome, at St. Peter's, on the 19th day of February, 1840, the 10th of our pontificate,

"GREGORY P. P. XVI."

26. THE CHURCH OF SCOTLAND —EDINBURGH, MAY 26.—The assembly is occupied exclusively with the consideration of what is called the Strathbogie case, which has been the immediate cause of bringing the establishment in collision with the civil courts. The circumstances of this celebrated case may be briefly stated. The rev. Mr. Edwards having been presented to the vacant charge of Marnock, in the presbytery of Strathbogie, was vetoed under the act of Assembly, 1834; but the decision of the house of lords annulling that act of Assembly having been pronounced in the interval, Mr. Edwards applied to the court of Session for an order upon the presbytery to induct him to the charge, if found duly qualified. The court found in favour of the presentee, and the presbytery proceeded to take steps in accordance with that decision. The General Assembly was not sitting at the time; but the commission of that body, invested with a delegated authority, interdicted the presbytery of Strathbogie from proceeding with the trial of Mr. Edwards. The majority of the presbytery, however, resolved to obey the authority of the Court of Session, whereupon the commission ordered them to be suspended from the exercise of their pastoral and ecclesiastical functions. Against this decision the presbytery appealed to the General Assembly.

The discussion was opened by Mr. Patrick Robertson, who appeared on behalf of the suspended clergymen. The learned counsel asserted that the assembly, or the church, was inferior to the supreme civil courts in matters of a civil kind, and that the interpretation of a disputed law necessarily lay with the latter authority. He warned the assembly lest they should by a rash determination strike a fatal blow at the existence of the church of Scotland, depending as it did upon its union with the state.

Dr. Cook, in a learned and effective address, of considerable length, in which he contended that the commission of the assembly had exceeded its powers, and that it had acted rashly and illegally, proposed that the Assembly disapprove of its proceedings, and rescind its decree, ordering the suspension of the majority of the presbytery of Strathbogie.

The procurator of the church, in a lengthened address, replied to Dr. Cook, and moved, that the Assembly approve of the proceedings of the commission.

A lengthened discussion ensued, which was protracted amidst evident symptoms of impatience till eleven at night, when the Assembly divided. On calling over the roll, the numbers stood as fol-

lows:—For Dr. Cook's motion, 143; For the procurators, 227: Majority for the procurators, 84.

This decision places the church in direct collision with the civil courts, and furnishes a complete clue to the further proceedings of the Assembly, particularly with respect to the bill of lord Aberdeen.

28. Fatal Accident in Hyde Park.—An inquest was held on Thursday on the corpse of captain Walter Otway, of the First Regiment of Life Guards, and son of admiral Otway. The death of this gallant and accomplished young officer was caused by a sad accident. He was riding on the green to the left of Rotten-row, Hyde-park, on Friday evening, when his horse reared; he pulled the reins, and the horse fell backwards, captain Otway being underneath. Lord Charles Clinton's groom, who saw the accident, immediately went with others to the spot. Captain Otway was taken to the barrack insensible, and placed in the officers' room. He lingered there, in great pain, till Wednesday, when he died. Lord Clarence Paget never left his bedside till his death. From the evidence of the surgeons, it appeared that the bones of the pelvis were broken, and the bladder ruptured. One of the witnesses who first saw him, said the lower part of the body was "completely smashed." Verdict, "Accidental Death," with a deodand of a shilling on the horse. The queen and prince Albert sent daily to make inquiries. The Life Guardsmen at the barracks testified their grief and regard by performing their routine duties as silently as possible. The whole place seemed to be perfectly still—the sentinels creeping along, afraid lest their footsteps should be heard.

30. The Pitt Club.—To-day the members of this club celebrated the anniversary of the birth of Mr. Pitt by a public dinner at the London Tavern, when upwards of 120 gentlemen sat down to an elegant and sumptuous entertainment. The hon. W. Duncombe, M. P., was in the chair, supported on the right by the earl of Harewood, the earl of Sheffield, and lord Kenyon; on the left by the earl of Eldon, the hon. and rev. Augustus Duncombe, the hon. captain Duncombe, sir J. Croft, bart., sir J. Chetwode, bart., and sir John Gibbon, bart. Amongst the company we observed sir G. H. Smyth, bart., M. P., sir R. P. Glyn, bart., Mr. Round, M. P., Mr. Neeld, M. P., Mr. Lowther, M. P., Mr. M. Attwood, M. P., Mr. R. B. Follett, &c.

JUNE.

1. Exeter-hall.—Meeting of the Society for the extinction of the Slave-trade, &c.—The first public meeting of the "Society for the extinction of the Slave-trade, and for the civilization of Africa," was held on Monday, at Exeter-hall. Mr. Fowell Buxton is the chief promoter of this association, under whose auspices the Niger expedition is planned. It was announced, that prince Albert would preside, and that many distinguished persons of opposite politics would take part in the proceedings. Thus curiosity was stimulated, and the meeting had much of the attraction of a show. It was announced, that the doors of Exeter-hall

would be opened at ten; but many persons had collected as early as six or seven o'clock, and by nine the crowd had become so great that it was found necessary to open the doors prematurely. In a few minutes the area of the hall, the side-galleries, and all the places on the platform not reserved for the committee and persons of distinction, were occupied. The whole number present is estimated at something between four and five thousand; of whom the larger number were ladies. Some of these were unable to sustain the fatigue and pressure of the crowd, and were carried out sick or fainting; others endured till they caught a glimpse of the prince, and then went away. On the platform, were the bishops of Winchester, Exeter, Chichester, Hereford, Salisbury, Lichfield, Ripon, Gloucester, Norwich, and Nova Scotia, the duke of Norfolk, the Marquesses of Breadalbane and Northampton, earls Howe, Ripon, and Chichester, lords Sandon, Teignmouth, Worsley, Howick, Ashley, Eliot, Robert Grosvenor, sirs Robert Peel, Robert Inglis, Henry Hardinge, George Murray, and George Grey, M. Guizot, Messrs. Fowell Buxton, Samuel Gurney, O'Connell, William Gladstone, and archdeacon Wilberforce, with many others.

As the hour of business drew near, the solemn voice of the organ was heard. In the midst of the music prince Albert entered, at eleven o'clock to the minute; and was conducted to the chair by Mr. Fowell Buxton. The multitude rose *en masse*, and greeted his royal highness with enthusiastic cheers; and the organ gave forth "God save the Queen,"—the prince standing like the rest.

Prince Albert then opened the business of the meeting with a few simple sentences, delivered with a slight foreign accent, but with perfect self-possession.

"I have been induced to preside at the meeting of this society, from a conviction of its paramount importance to the great interests of humanity and justice. I deeply regret, that the benevolent and persevering exertions of England to abolish the atrocious traffic in human beings, at once the desolation of Africa, and the blackest stain on civilized Europe, have not led to a satisfactory conclusion. I sincerely trust, that this great country will not relax in its efforts until it has finally and for ever put an end to a state of things so repugnant to the principles of Christianity and to the best feelings of our nature. Let us therefore trust, that Providence will prosper our exertions in so holy a cause; and that under the auspices of our queen [*Here the whole assembly rose and cheered for some minutes*], under the auspices of our queen and her government, we may at no distant period be rewarded by the accomplishment of this great and humane object, for the promotion of which we have this day met."

Mr. Buxton read letters from queen Adelaide, the archbishop of Canterbury, the bishop of London, and Mr. Thomas Clarkson, expressing approbation of the object of the meeting.

After paying a well-turned compliment to the queen and her consort, Mr. Buxton moved the first resolution,—

"That notwithstanding all the measures hitherto adopted for the suppression of the foreign trade in slaves, the traffic has increased,

and continues to increase, under circumstances of aggravated horror, and prevails to an extent which imperatively calls for the strenuous and combined exertion of the whole Christian community to effect its extinction."

The bishop of Winchester seconded the resolution, and bid the society, "God speed in the name of our Lord."

Dr. Lushington moved the next resolution—

"That the utter failure of every attempt by treaty, by remonstrance, and by naval armaments, to arrest the progress of the trade, and the exposure recently made by the publication of Mr. Buxton of the deep interest which the African chiefs have in its continuance as the means of obtaining European goods and manufactures, prove the necessity of resorting to a preventive policy founded on different and higher principles."

He trusted, that the Society would receive co-operation from European powers, and especially from France. He hailed the presence of M. Guizot as a happy omen, and hoped he would convey to his sovereign and his country an adequate representation of the zeal and unanimity of England in the great cause they were assembled to advocate.

After archdeacon Wilberforce had seconded the resolution,

Sir Robert Peel rose to move a vote of thanks to prince Albert. After the loud cheers which greeted him had subsided. Sir Robert said,—

"May it please your royal highness, ladies and gentlemen, it is with no wish of my own, that I now appear before you. It was my intention to have taken an unostentatious part in your proceedings; because I feel it is somewhat painful to interfere at this time with the triumphs of those who devoted their lives to this cause, and to whom are due exclusively the honour and deathless fame of striving gloriously for the cause, under great and pressing difficulties; and it is only because those who have been the constant friends of the cause; because Mr. Buxton, who opened the proceedings of the day; and because he who has just concluded his address to you, proving to you that he inherits not only the name but the virtues and the eloquence of his father; it is only because they have expressed a wish that I should take an active part in these proceedings, that I have overcome the dictates of my own will, and deferred to the wishes of those who are the best judges of what is best for the advancement of the interests of the cause; and they have imposed upon me the gratifying duty, but most difficult task, of embodying that which is not only the sentiment of the present meeting, but of all who join with us in the cause; which is a vote of thanks to your royal highness for undertaking to preside over this vast assembly; that you have auspicated and sanctioned your first appearance in the arena of public discussion by manifesting a zeal and interest in this great cause, in which the lasting interests of humanity and religion are deeply interested; and that feeling which I have to express is not the feeling of any meeting, which could be assembled within the narrow limits of any edifice. No, Sir, I consider this meeting as the fit representative of all England upon this subject. This meeting,

which is attended by persons of every religious persuasion, of every shade of political opinion, is the fitting representative to you of the feeling of a great people, which is a feeling of gratification and cordial delight, that you have stepped forward to take the first part in the proceedings of this day; and this is a people, who, in the time of great financial difficulties, without a murmur submitted to extraordinary sacrifices for the purposes of purifying themselves from the stain of any participation in the evils of slavery."

The slave-trade was still carried on to an enormous extent; and to give the meeting an idea of its dreadful atrocity, he would read an account of the capture of a slaver from a Cape of Good Hope paper, only just received—

She was a brig, and commanded by a Spaniard. She originally had on board nine hundred slaves; but during a hurricane, in the prosecution of her voyage, the hatches were battened down, and on opening them after the hurricane had subsided, it was discovered that three hundred of the slaves had died from suffocation and want of food. The gale recommencing, the hatches were battened down a second time; the consequence of which was an additional three hundred slaves perished from the same causes; and one hundred slaves died on the passage to Mozambique harbour, whither she repaired for the purpose of getting a further supply.

Sir Robert was not sanguine as to the early success of the society's operations; but he had confidence in the righteousness of the cause, and was convinced it would meet with divine protection.

At the conclusion of Sir Robert's speech, prince Albert rose, bowed, and left the hall, amidst loud plaudits. Numbers of persons went away at the same time.

The earl of Ripon was then called to the chair, and the business of the meeting proceeded.

The bishop of Chichester moved, and Mr. Samuel Gurney seconded the third resolution.

"That this policy is to be found in the civilization of Africa by the introduction of Christianity, by the promotion of legitimate commerce, and by encouraging the cultivation of the soil on a system of free labour."

The earl of Chichester and the hon. C. Langdale respectively moved and seconded the fourth resolution,—

"That in the opinion of this meeting, Great Britain is required both by every consideration of sound commercial policy, and by the higher motives of Christian obligation, to exert all her influence and all her power for the effectual suppression of the slave-trade; and that the means proposed by this society in accordance with the principles recognised in its prospectus, and in the preceding resolutions, appear eminently calculated to conduce to the attainment of that great result, and are therefore entitled to cordial approbation and support."

Lord Ashley moved, and the rev. G. Clayton seconded the fifth,—

"That this meeting earnestly and solemnly appeal to the whole Christian community to further the operations of the society by pecuniary contributions, by private and public influence, and by all other means that are legitimate in the prosecution of a pur-

pose dictated by humanity, approved by sound policy, anxiously desired by the country, and undertaken in the humble hope, that the blessing of Almighty God will be vouchsafed to its labours."

The sixth was moved by the marquess of Northampton, seconded by lord Howick,—

"That in order to promote the interest of this institution throughout the kingdom, it is expedient to establish societies auxiliary to it, and in regular correspondence and connexion with it, as extensively as possible; this meeting, therefore, pledges itself to strenuous efforts for that purpose, and earnestly invites the friends of Africa, of every religious persuasion and political opinion, to adopt such means in their respective neighbourhoods as may contribute, under the Divine blessing, to its prosperity and success."

The meeting had now become very impatient; and the rev. J. W. Cunninghame, who read a petition to parliament founded on the resolutions, was scarcely audible. The petition, however, was adopted unanimously. Mr. Buxton was appointed chairman, and sir Robert Inglis, sir Thomas Dyke Acland, and Dr. Lushington, deputy chairmen, of the committee of the association. Thanks were voted to the earl of Ripon. There were loud calls for Mr. O'Connell, who at length presented himself; but, on a signal from the committee, the organ struck up, the orator was silent, and the meeting separated.

2. Epsom Races.—Tuesday, the first day of Epsom Races, is not generally well attended except by betting-men, making up their "books" for the Derby. This year the company was quite as numerous and distinguished as usual, and the running was respectable.

Wednesday was very fine, and the concourse of persons of all ranks greater, perhaps, than ever was known before. In addition to the usual attractions, it was known that the queen and prince Albert would be present; and the different roads through which the royal party might pass to the Grand Stand were thronged with spectators. Her majesty and prince Albert arrived soon after one, in time to allow the prince to ride round the course and see the preparations for the day's sport. The royal pair were received with universal cheering.

To the Derby stakes there were one hundred and forty-four subscribers of fifty guineas each; but the following horses only started.

Mr. Robertson's b. c., Little Wonder, by Muley, out of Lacerta	Macdonald.
Lord Westminster's Launcelot, brother to Touchstone	Scott.
Mr. Etwall's b. c., by Mulatto, out of Melody	J. Day, jun.
Lord Albemarle's b. c., Assassin, by Taurus, out of Sneaker	E. Edwards.
Duke of Cleveland's Theon, by Emilius, out of Maria	Lye.

Lord Kelburne's ch. c., Pathfinder, by Retainer—Emilie . . . . . Nelson.
Mr. Holdsworth's c., Confederate, by Velocipede, out of Miss Maltby . . . . . Rogers
Sir C. Heathcoate's b. c., Sophocles, by Laurel—Bertha . . . . . Buckle.
Lord Exeter's c. Scutari, by Sultan, out of Velvet Darling.
Captain Gardnor's ch. c, Monops, by Actæon, out of Wings . . . . . Wakefield.
Sir G. Heathcote's b. c., Bokhara, by Samarcand—Zenobia . . . . . Chapple.
Colonel G. Wyndham's b. c., by Nonsense, out of Gift . . . . . Templeman.
Lord Jersey's c., Muley Ishmael, by Ishmael—Filagree. . . . . Robinson.
Lord Exeter's c., Amurath, by Sultan—Marinella Nat.
Duke of Cleveland's ch. c., by Emilius, out of Farce . . . . . J. Day.
Mr. Forth's c., by Muley, out of Solace . . Owner.
Lord Orford's ch. c., by Clearwell—Angelica . Conolly.

The betting previous to the start was,—

9 to 4 against Launcelot (5 to 2 taken); and 50 to 1 against Little Wonder.

The official account of the race is as follows:—

"About a quarter past three, after one false start, and two or three minor failures, the lot went away at an excellent pace, the Angelica colt leading, followed by the Melody colt, Launcelot, and Bokhara; with Confederate, Assassin, Little Wonder, and Scutari next, and the others were laid up. This order was observed for about half-a mile, when the Melody colt took up the running, Launcelot lying second, Assassin third; Angelica, Confederate, and Little Wonder, being the next lot; in going round the turn, Little Wonder passed Assassin, and took his place at Launcelot's quarters; the Angelica colt was beaten off here; in fact the three leading horses were all that were left in the race, neither Assassin nor Confederate having the slightest chance of winning. The Melody colt maintained his lead to the distance, and there it was all up with him; Little Wonder then challenged the 'crack,' headed him in a few yards, was half a length before him ere he reached the stand, and went by the post a clever winner by a length; Melody third; Confederate, who passed Assassin at the distance, fourth; Assassin fifth, and Amurath sixth. Of the others it is only necessary to say, that the tailing began before they reached the turn, and that Theon (who at one part of the day was at 20 to 1), the Gift colt, and Sophocles, were the last three. Value of the stakes after making the usual deductions 3,775*l*.

"Immediately after the race, Mr. E. Anson entered the weighing-place, and delivered to Macdonald an elegant riding-whip as a testimonial from prince Albert, of his admiration of his jockeyship."

The other races were not remarkable, and there was no betting upon them. The queen and prince Albert left the course after the second race, for Claremont, amidst the acclamations of the mighty multitude.

5. On Friday the Oaks attracted a numerous and brilliant attendance. The race was won in a canter by lord George Bentinck's famous mare Crucifix, beating Mr. Payne's Welfare, Mr. Wigram's Teleta, and twelve others. It is said lord George Bentinck has won 20,000*l.* with Crucifix; who is now first favourite for the St. Leger.

The other races were very indifferent.

5. Metropolis Churches' Fund.—The annual meeting of this society was held yesterday at the offices in Lincoln's-inn-fields, at which the right rev. the lord bishop of London presided. The room was very crowded.

The bishop of London proposed the immediate erection of fifty new churches, not that this number would adequately meet the pressing wants of the metropolis. For that purpose at least six or seven times the number would be required; but his lordship thought it better to decide upon a plan which might appear practicable, and which might be carried into effect to the full extent proposed. . . . Forty-one out of the fifty churches have been and are being erected through the instrumentality of this fund. In that number are included the ten churches proposed to be built in Bethnal-green. Taking 1,200 as the average number which each church will contain, a provision will have been made for 49,200 persons, and if it be computed that church room should be provided for one-third of the population, the result will be that 147,600 persons will have been brought within reach of the ministrations of the church and the pastoral superintendence of her clergy. . . . The report went on to say, that within the last year the committee had received the gift of 6,000*l.* from one individual for building a church in Bethnal-green, another gift of 2,000*l.*, and two other donations of 1,000*l.* each.

Sites have been procured for churches in the following places, where the works will forthwith be commenced; one in Camberwell, the gift of sir E. Smith, who has promised 1,000*l.* towards the expense of erecting a church and a parsonage house — one in the parish of Paddington, the gift of the bishop of London; one in Shepherd's-walk, St. Leonard's, Shoreditch, the gift of the prebendary of Wenlock's-barn; one in Lambeth; one in St. George's, Southwark, purchased; two in Hackney; one in Clapton; five in Bethnal-green; one, the freehold of which is given by the trustees of the Wolverly charity: one given by Mr. P. Borgnis; one given by captain Sotheby; two are purchased. Negotiations are now in progress for other sites in Bethnal-green. Two other sites have been secured, one in St. Pancras, the gift of lord Southampton, and one in St. Margaret's, Westminster, purchased, but under peculiar circum-

stances the building of these churches is for the present deferred.

In addition to the above, the fund is pledged to assist in the erection of six churches, the sites of which have not yet been obtained, five in Bethnal-green and one in East Smithfield.

The whole account of churches, therefore, will stand thus:—

Churches completed ...	17
Churches in progress ...	4
Churches to be immediately commenced ...	12
Additional churches to which the fund is pledged	8
Total ...	41

In pursuance of a resolution announced in the last report, the committee have resolved on endowing the following churches with a sum, in each case not exceeding 1,500*l.* to be partly spent in the erection of parsonage houses: St. James's, Curtain-road, Shoreditch; All Saints, Mile-end, New Town, Stepney; St. Thomas's, Arbour-square, Stepney; St. Mark's, Tenter-ground, Whitechapel; Christ Church, Hoxton; St. Peter's, Globe-lane, Stepney. The other churches, St. James, Ratcliffe, and St. Paul's, Bunhill-row, St. Luke's, had previously been endowed with parsonage houses, purchased by the fund.

In all the above cases application has been made to the governors of queen Anne's bounty for augmentations. The committee have received a favourable answer in reference to two of them, St. James's Ratcliff, and St. Peter's, Stepney,—400*l.*, being promised as an augmentation to each church. The committee have reason to hope, that the other cases represented by them to the Bounty board will receive the favourable considerations of the governors.

7. Death of the King of Prussia.—The Hamburgh papers contain the following account of the death of the king of Prussia:—

"Berlin, June 7.

"The king died this afternoon, at half-past three o'clock, in the seventieth year of his age. This morning the emperor of Russia arrived from Warsaw, and proceeded immediately to the death-bed of his father-in-law, whom he found in full possession of his mental faculties, and who took leave of him pressing his hand.

"This evening, at seven o'clock, the troops of the garrison took the oath of allegiance to the crown prince, his majesty Frederic William 4.

"An extraordinary supplement to the *State Gazette* of to-day contains the following paragraph:—

"'By the inscrutable decree of God, our beloved king, his majesty Frederick William 3, the father of his people, terminated his mortal career this afternoon, at half-past three o'clock.

"'The effects of a repeated attack of influenza, under which his majesty had been suffering for some time, produced latterly a great prostration of strength, and in consequence a state which, in defiance of all the efforts of nature and the skill of experienced physicians, put an end to the valuable, highly blessed, but also severely tried, life of his majesty, amidst the tears of all his children, assembled round him at this moment, and of the other princes and princesses of the family.

"'His majesty's latter days were cheered by the presence of the empress his daughter, and her

children, and at the last moment by that of the emperor his son in-law.

" ' The country, though in mourning and tears, raises its eyes to his majesty's august successor on the throne of his glorious predecessor, full of hope and confidence. The heir of renowned ancestors, educated in the storms of an agitated period, early inculcated into the duties of his high destination, and called by his father in the days of his sickness to direct the affairs of government, his majesty will diffuse the blessings of order and peace, which are the lot of a faithful and happy people, and the recompense of the anxious efforts of a good and noble sovereign.'

" Frederick William 3, was born on the 3d of August, 1770, and had, therefore, not completed the 70th year of his life when he was gathered to his fathers. He succeeded his father, king Frederick William 2, on the 16th of November, 1797, and has left four sons—the present king, born the 15th of November, 1795; prince Frederick William Lewis, born the 22d of March, 1797; Frederick Charles Alexander, born the 20th of June, 1801; and Frederick Henry Albert, born the 4th of October, 1809; and three daughters:—The empress of Russia, born the 13th of July, 1798; the grand duchess of Mecklenburgh Schwerin, born the 23d of February, 1803; and princess Louisa, born the 1st of February, 1808, married to prince Frederick of the Netherlands."

The following has been published by the order of the present king.

FREDERICK WILLIAM.
Sans Souci, 17th June, 1840.

Official—To the Minister of State.

I order two precious documents to be published, which, according to the will of my late royal father and sovereign, were put into my hands on the day of his death; one of which is headed " My last will," and the other begins with the words " On you, my dear Frederick;" both of which are in his own hand writing, and dated 1st December, 1837.

The last mentioned document as follows:—

Berlin, 1st Dec. 1827.

To you, my dear Frederick, the burden of the government now comes, with the whole weight of its responsibility. By the position in which I have now placed you in respect to this charge, you are better prepared for it than many other successors to thrones. It is now your part to fulfil my just hopes and the expectation of the country—at least to endeavour to do so. Your principles and feelings are a security to me that you will be a father to your subjects.

Beware, however, of the love of innovation, now so general; beware of impracticable theories, so many of which are now in vogue; but at the same time, beware of an almost equally fatal, obstinate predilection for what is old; for it is only by avoiding these two schools that really useful changes proceed.

The army is now in a remarkably good condition; since its reorganization it has fulfilled my expectations; as in war, so also in peace. May it never lose sight of its high destination; but may the country likewise never forget what it owes to it.

Do not neglect to provide for,

as far as lies in your power, concord among all the European powers; but, above all, may Prussia, Russia, and Austria, never separate from each other. Their union is to be regarded as the keystone of the great European alliance.

My dearly-beloved children, all give me reason to expect that they will distinguish themselves by a useful, active, moral, pure, and godly life; for that alone can bring down blessings; and in my last hours this shall give me comfort.

May God guard and protect my dear country. May God guard and protect our homes, now and for ever. May he bless you, my dear son, and your government: may he grant you strength and judgment to carry it on, and give you conscientious counsellors and servants, and loyal subjects. Amen! FREDERICK WILLIAM.

8. DECISION OF THE COURT OF QUEEN'S BENCH RESPECTING THE RATING OF TITHES.—The court of Queen's Bench has lately decided that tithes are liable to poor-rates. The reverend Mr. Capel, vicar of Watford, had obtained a conditional rule for setting aside a rate which included his tithes; and this rule was discharged on Monday.

In reference to this decision, Mr. Richard Jones, the tithe commissioner, has addressed the following letter "To the clergy of England and Wales."—

"Gentlemen—I am pledged to so many persons to let them have the earliest information of the decision of the Queen's Bench as to the proper mode of rating tithe, that I adopt this as the only mode in which I can rapidly fulfil my promises.

"The decision of the Queen's Bench as to the particular point submitted to the court is against the clergy; and they have decided, that under Mr. Poulett Scrope's act, in spite of the archbishop's proviso, tithes and rentcharges must be rated like lands, at what they will let for.

"The law so declared, I conceive, we are bound at once to accept and submit to. It so happens, however, that while this case has been actually pending, another case has been decided by the Queen's Bench, which leaves the general law as to rating in a state as unsettled and as unsatisfactory as it was before this decision was given.

"It has been decided in the case of 'the Queen *versus* Lumsdaine,' that all stock in trade is still liable to be rated. It seems to follow, and was admitted in argument, that when the farmer's profits from his farm are not rated, he may as an inhabitant be rated like any other inhabitant on the profits of his stock.

"At all events, it is clear, that when all profits on stock in trade are omitted, any rate may be quashed on an appeal.

"This state of things has naturally attracted the attention of the legislature, and will be followed, no doubt, by some comprehensive measure of legislation.

"Some of you have done me the honour to ask me for advice as to your individual course of proceeding: to such gentlemen I venture with some diffidence to suggest, that it will be highly expedient not to anticipate the ultimate decision of the legislature by immediate litigation.

"I have the honour to be, gentlemen, your faithful servant,

"R. JONES."

10. Riotous Legislators.—At the Marlborough-street office, Mr. Morgan John O'Connell, M.P., and Mr. Redington, M.P., were charged with riotous conduct in the streets. The two honourable members were not placed in the prisoners' dock, but were allowed to stand in front of the magistrates' bench, while a policeman stated the charge against them—

About five o'clock that morning, while on duty at the end of Jermyn-street, St. James's, he saw the defendants knock at several doors, pull a bell-handle out to the extent of several inches, and bend it, and also hammer at the shutters of a shop. In consequence of which, he with some other police-constables, took them into custody, and conveyed them to Vine-street station-house.

Mr. O'Connell—"Your statement is not correct. We did not knock at the doors. I deny it most unequivocally. I admit rattling at the shutters; and as we were passing, I saw the bell-pull had been drawn out and bent down, and we merely bent it the other way."

The witness swore positively at the defendant knocked at five doors at least.

Two other police-constables swore distinctly to the fact.

Mr. Redington asked the policemen, if either Mr. O'Connell or himself were the least intoxicated.

The policeman said they certainly were not.

Mr. Long said, he should not have expected that gentlemen in their station of society would have been amusing themselves in the manner described. He must believe the testimony of three policemen, and would therefore fine the defendants forty shillings each.

— Endowment of Colonial Bishoprics. — A special general meeting of the members of the society for promoting Christian knowledge was held on Wednesday, at the society's rooms in Lincoln's-inn-fields. The archbishop of Canterbury was in the chair, and explained the object of the meeting; which was to consider a recommendation of the committee to vote 10,000*l.* in aid of a fund for establishing bishoprics in the colonies and dependencies of the British empire, upon the following plan, suggested by the bishop of London—

"1st, That a fund should be formed, by voluntary contribution, for the endowment of bishoprics in the colonies and distant dependencies of the British crown.

"2ndly, This fund should be held in trust, and administered by the archbishops and bishops of the English church.

"3dly, That, as a general principle, grants should be made for the endowment of bishoprics, to meet a certain proportion of the whole amount required for such endowment, raised in the colonies themselves.

"4thly, That the money set apart from the fund for the endowment of a bishopric, should be laid out at the earliest opportunity, in the purchase of land within the colony.

"5thly, That contributions may be made specifically, for the endowments of particular bishoprics."

The bishop of London moved, "That the recommendation of the committee be adopted, and the money placed at the disposal of the archbishops and bishops of England."

The bishop of Chester seconded the resolution: which was carried, with only two dissentients.

Twelve bishops and about two hundred of the inferior clergy were present at this meeting.

14. Singular Affair in the Household of the Duke of Argyll.—A correspondent of the *Herald* gives the following statement on this subject:—It appears that the lady who lately lived in the noble family of Argyll, as governess to the beautiful and amiable daughters of the duke, is a Swiss. Some time after the murder of lord William Russell the lady Emma Campbell, who was in bed with one of her sisters, was alarmed in the middle of the night by some person shaking her by the shoulder. She immediately awoke, and was horror-stricken to find her governess, the Swiss, leaning over the bed, with a large knife or dagger in her hand. The governess asked lady Emma, in a manner betraying considerable agitation, on which side of the bed "her mamma the duchess slept." Perceiving the frightful weapon which the unfortunate woman held in her hand, and, as may well be expected, exceedingly terrified, lady Emma Campbell, notwithstanding, with a presence of mind most extraordinary in one so young, sprang out of bed, closed the bedroom door, and demanded the reason of the conduct of the misguided governess. The Swiss replied in an angry tone, and peremptorily commanded the young lady to retire to rest, and not to disturb the household. Lady Emma Campbell, however, refused to do so, and went and placed her back to the door, in order to prevent the escape of the governess. The woman thereupon used threats and entreaties, and ultimately tried to thrust lady Emma from the door. In the midst of the scuffle one of the sons of the duke of Argyll (the eldest we believe) passed by the room on his way to his own chamber. Hearing a noise in his sister's apartment, he tapped at the door, and was immediately admitted by lady Emma. The governess was then found in a state of great excitement, and after the duke and duchess had been called in, she was removed to her own room, and locked up for the remainder of the night, some person keeping watch at the door for the whole time. On the following morning she was sent home to her friends.

JULY.

2. Crim. Con.—Dundas *v.* Hoey—The court of Queen's Bench, on Thursday, tried an action brought by the rev. Mr. Dundas, son of captain Deans Dundas, M.P., against Mr. Hoey, a gentleman residing in Bath, for criminal conversation with Mrs. Dundas. From the speeches of counsel, and from the evidence, it appeared that Mrs. Dundas is the daughter of colonel Burslem, of Harewood-lodge, not far from Barton-court, captain Deans Dundas's residence is in Berkshire; that the plaintiff paid attention to Miss Burslem, a young lady of great personal beauty, twenty-two years old, and was received in the house as her acknowledged suitor; that he took advantage of the familiarity allowed him to seduce the lady, whom he then deserted, and who was delivered at Bath of a child by him; that, with great difficulty, he was persuaded to marry

her some time after the birth of the child; that 10,000*l.* was settled by colonel Burslem on his daughter, and 5,000*l.* by captain Dundas on his son; that the married pair had violent quarrels, and were twice separated; and it was after the last separation that Mrs. Dundas formed the illicit connexion with Mr. Hoey. It was proved that at various places they had lived together as man and wife. Mrs. Burslem was produced to state the circumstances of the courtship, the seduction, the delivery, and the subsequent marriage of her own daughter. The plaintiff's counsel, Mr. Thesiger, did not, under the circumstances, claim more than nominal damages. Lord Denman summed up, rather favourably for the plaintiff. The jury, in a few minutes, returned a verdict for the plaintiff—damages one farthing; and added, "We think he had morally deserted her."

Lord Denman—"Do you think he had completely abandoned her, and given her to understand so?"

The Jury—"My lord, we find for the plaintiff, with one farthing damages."

Mr. Thesiger asked his lordship to certify that it was a proper case to be tried by a special jury.

Lord Denman—"Yes, I shall."

Mr. Watson—"May I ask your lordship to certify to deprive the plaintiff of his costs."

Lord Denman—"I will consider of it."

12. Shocking Murder in Leeds.—The following are the particulars, as far as they were known at the end of last week, of a murder committed in Leeds.

The unfortunate victim of this crime is William Reynolds Rotherry, about twenty years of age, a dealer in rags, who resided alone in a house in Holbeck-lane. He left his home about noon on Thursday, the 2nd instant, and sold a quantity of rags to Mr. John Kirk, in Meadow-lane, for which he received about 1*l.* 4*s.* He was afterwards seen at the Anchor Inn, Hunslet, about nine o'clock the same night, in company with a young man, with whom he left; and from that time till Wednesday morning last, nothing whatever was heard of him, when the body of a man, which afterwards proved to be that of the deceased, was discovered in the river Aire, near the Monkpit's Suspension-bridge, by some girls, who were going to work shortly before six o'clock. The body was immediately taken out, conveyed to the Geldard Arms, Wortley-road, and searched; but nothing found upon it, excepting a few trifling articles, such as a box-key, a comb, &c. On examination of the person of the deceased, a frightful gash was discovered in the throat, of about two inches in depth, and an inch and-a-half in width, which appeared to be caused by some sharp instrument having been plunged into the part in a perpendicular manner, and then worked across to the extent before described.

14. Second Annual Meeting of the Royal Agricultural Society of England at Cambridge.—At an early hour this morning the great mass of persons drawn hither from all parts of England by the approaching festivities, were up and on the *qui vive* to join the throng, which, in vehicles of all sorts, from the carriage-and-four to the humble chaise-cart, were crowded to witness the trial of agricultural implements in Mr.

Grain's field, on the Hills-road. By ten o'clock there was neither horse nor any machine on two wheels left in the town. The roads leading to the different places where the trials were to take place presented a most attractive sight. At a little past ten the trial of agricultural implements commenced. Near the field where this was going on, thrashing and dressing machines, &c., were at work, and at a little distance in a large field (also the property of Mr. Grain) a most interesting spectacle presented itself in the ploughing match; fifty ploughs started, and, as the object was not to reach the goal soonest, but to reach it by the shortest and most even line, the individual interest excited by each competitor was maintained throughout. The multitude of people on this spot, the number of horsemen galloping to and fro, the carriages filled with ladies and gentlemen, and the cheerful influence of an unusually fine day, created a scene which we have seldom seen surpassed.

The road from this point to Babraham, a village about seven miles from Cambridge, resembled the route from London to Epsom on a race-day; and on arriving at the above-mentioned village a sight of unusual interest presented itself. The yard of the village inn was crowded with carriages, and the crowds of visitors were hastening to the field where Mr. Webb, of Babraham, was exhibiting his splendid show of tups. These animals were of the finest description, and their extraordinary size and beauty elicited continued marks of surprise and admiration from the numerous beholders, amongst whom were agricultural noblemen, gentlemen, and yeomen from all parts of the country. Booths for the supply of refreshments were erected round the various places of attraction, and a spirit of good humour and happiness pervaded all classes.

At five o'clock the judges' committee, and a great number of other gentlemen, to the amount of about 500, sat down to a sumptuous dinner in the fine old dining-hall of Trinity; the duke of Richmond presided, and earl Spencer acted as vice-president.

The duke of Richmond entered the hall soon after five o'clock, accompanied by earl Spencer, the marquis of Northampton, and the duke of Rutland. Shortly afterwards the vice-chancellor entered, accompanied by sir R. Peel and sir J. Graham.

Professor Henslow and Dr. Buckland announced the probable improvement of agriculture to a very great extent by the researches of scientific men.

Several healths were drank and speeches made in return, of which the last was that of "The tenantry of England," proposed by the duke of Richmond.

AUGUST.

9. At the Shrewsbury assizes, an action was brought against Mr. Coppock, the secretary to the Reform Club, for bribery at the Ludlow election in 1839. The circumstances of the case were exposed before the Ludlow election committee, and they were also detailed at a similar action tried at the same assizes on Thursday. According to the evidence of Tilley, who keeps the Three Compasses at Ludlow, he was em.

ployed by Mr. Coppock and Mr. Downes to canvass Samuel Cook; and, after various negotiations, Cook refusing to vote for Mr. Alcock till 30*l.* was deposited in Tilley's hands on his behalf, Mr. Coppock gave Tilley three 10*l.* notes to be given by him to Cook as soon as he had polled. Cook accordingly polled for Mr. Alcock, and immediately afterwards received from Tilley the 30*l.* It appeared further, that the writ in this action was served upon Mr. Coppock upon the 26th of February last, and that on the 27th of the same month he commenced an action against the voter Cook to recover the sum of 800*l.* against him for having received a bribe. Cook let judgment go by default against him; and Mr. Coppock then made an affidavit on which he grounded an application for leave to plead to the present action. The plea was, that he had, within twelve months after the election, at which the bribery charged against him was committed, discovered and prosecuted to conviction a person similarly offending. This application was refused. It was now urged against the defendant, that this affidavit showed his consciousness of guilt—that he admitted the fact of Cook having been bribed by having himself proceeded against him for the penalties incurred by this very transaction. The jury were three hours before they could decide on their verdict, which was finally given in favour of the defendant.

12. Riots at Colne in Lancashire.—Some desperate rioting has lately taken place at Colne, near Burnley, in Lancashire; originating, it is said, in a feeling of ill-will towards the constabulary police. The town was entered and taken possession of by a body of men from the neighbourhood, and it was necessary to call out the military to disperse the mob. In a conflict that occurred on Monday night, when a second attack was made on the town, one of the special constables was killed.

16. A Child Murdered by its Father.—At the Somersetshire assizes, Edward Garrett was tried for the murder of his child, Edwin Garrett, near Bath, on the 23rd of June last. The case is described as "one of the most painful ever witnessed in a court of justice. The prisoner appeared to suffer the most dreadful mental anguish; during the greater part of the trial his head reclined upon the bar, and he was scarcely visible: his countenance was far from indicating that he could commit any crime of atrocity, and his whole bearing was such as to induce all to sympathize with him. The tale, as stated by the witnesses, was one of woe and misery. The man was peaceable, honest, industrious, but bent to the very earth by want and indigence: he was a shoemaker, and had a wife and three young children, all of whom he tenderly loved: he saw his children go crying to bed because he had no food to give them; and this taking place night after night, drove him to distraction; it plunged him into such a gulf of misery and despair as to rob him of his senses; and in this moment of oppression and perplexity, he seized the means of destruction that happened to be within his reach—a bottle of laudanum—poured part of it down the throats of his darling infants, and then swallowed the remainder himself. He had been a kind and most affec-

tionate father. The world had gone wrong with him. He had written to his friends to assist him; his application met with a cold refusal: he was pressed by his creditors, whom he could not pay; he was goaded to madness by the starving cries of his children, whose mouths he could not fill; he had only one resource before him—a poor-law union—to place himself, his wife, and children, in that prison—to live not together, but as if estranged from each other, separate and apart. To this, death seemed far preferable; despair took firm possession of his mind, and brought him to that bar where he now stood charged with being the murderer of his own offspring. The whole scene was distressing beyond what any description can convey."—From the evidence it appeared, that Mr. Hill, the surgeon, was called into the prisoner's house on the 23rd of June; he found the prisoner lying on a bed in a state of stupor: Mr. Hill asked him what he had taken: he said he had taken laudanum, and had given half a bottle to his two children. The bottle was found, and it contained the remainder of some laudanum. Mr. Hill administered emetics to the prisoner and his two children; but no effect was produced on the younger child, and it died about ten o'clock that night: the prisoner and the elder child recovered. Mr. Hill had signed a certificate that the prisoner was not in a sound mind and was incapable of taking care of himself; but when asked his reasons for having done so, he could give no explanation. After the prisoner was in custody, he wrote the following letter to his sister—

"Dear Sister—I know not whether any one has written to you to let you know where I am, or whether you have seen in the paper an account of it. You know I made an application to you for a few pounds, but in vain. If my own flesh and blood would not help me, where am I to go for aid? My children have gone to bed crying for food, which I could not give them, and my creditors were pressing me, and I could not pay them. All these things came pressing upon me, and drove me to distraction. I attempted my own life and those of my children. The youngest is dead, poor little soul! To-morrow I expect I shall be sent to prison; but I have one favour to ask of you—pray for my own dying soul—your unhappy brother. The coroner's jury returned a verdict of 'Temporary Insanity.' Excuse the writing. I hardly know what I am doing. Pray for me."

The jury, after consulting together for fifteen minutes, returned a verdict of "guilty," but recommended the prisoner to mercy on account of the distressed state of his mind. Mr. Justice Coleridge then passed sentence of death on the prisoner. In alluding to the recommendation of the jury, and the painful circumstances of the case, the judge observed—

"You have committed this crime undoubtedly not in the ordinary way—not under the impulse of strong and excited passion—not under the feelings of any thing malignant or hateful towards that unfortunate child, for that child you no doubt tenderly loved: but it is, perhaps, that very circumstance that makes your crime a most dangerous one to pass over; for if it were once supposed that a person under any circum-

stances of distress, however great, could with impunity lay hands upon the life of any human being, or if, by attempting his own at the same time, if it were supposed he presented therefore a more mitigated case for the consideration of a jury, I am afraid to consider what dangerous consequences might arise. I hold out to you no hopes that your life will be spared."

20. PROMOTION OF THE GROWTH OF COTTON IN INDIA.—A special general meeting of the Manchester chamber of commerce was held at Manchester, "to receive the report of the directors on the measures taken by the East-India company for promoting the growth of cotton in India, and to confer on the prospect which is held out of increasing the supply of that important raw material." The report submitted to the meeting detailed the steps which had been taken towards establishing the culture of cotton in India. A promise had been obtained from the court of directors, that the subject of the land-tax, the great impediment to all agricultural improvement in India, should be taken into serious consideration; and prizes of 500*l*., 1,000*l*., and 2,000*l*. had been offered by the governor-general of India for cotton cleaned by machinery. The mission of captain Bayles to the United States, for the purpose of obtaining information as to the cleaning of cotton, had been productive of very satisfactory results. The directors had witnessed experiments made with the saw-gins which captain Bayles brought over, at Liverpool, on the 17th of July, and at Manchester within the week; and those experiments fully proved the practicability of cleaning the India cotton with the American saw-gin; though personal skill and experience would be requisite to adapt the machine to the particular species of cotton upon which it is to act. For that purpose, and with the view of giving a new impulse to the growth of cotton in India, the East-India company had made arrangements for sending over to India several talented and experienced gentlemen, brought up as cotton-planters in the United States. Some difficulty was also anticipated in devising means for driving the machinery. The following comparison shows at what a disadvantage Indian cotton is worked at present—

"The saw-gins commonly used in the United States are capable of producing from 1,100 pounds to 1,200 pounds weight of clean cotton per day; whilst the churka, with the labour of three persons, produces only from 38 pounds to 40 pounds per day. The board entertains sanguine hopes, that if encouraged, the mechanics of this district will be able to effect improvements in the saw-gins exhibited at Manchester; and this expectation is strengthened by the fact, that the samples cleaned here by machines being submitted to three competent judges, it was decided that the quality of one of the samples was superior to the others by $\frac{1}{4}d.$ to $\frac{3}{8}d.$ per pound, although the seed cotton submitted to be cleaned by each machine was precisely the same. The machine which produced the best sample was built at the works of Messrs. Fawcett and Co., of Liverpool, under the superintendence of Dr. Jones, the patentee."

21. PRACTICAL PHILANTHROPY.—At Liverpool assizes, on Wed-

nesday, an action was brought against Mr. Stocks, the owner of extensive cotton-mills, to recover compensation for injuries sustained by a girl, fifteen years of age, from the machinery in his mill, in which she was employed. In the mill was an upright shaft, revolving at the rate of sixty times a minute, which was left entirely exposed; and the girl's dress having been caught by it, she was dragged round and seriously injured, so as to become a cripple for life. Lord Ashley had taken up the case, and the action was brought in his name, as next friend and guardian of the child. A verdict was taken by consent for 100*l*.

— Fatal Accident on the Eastern Counties Railway.— A fatal railway accident from the overturn of the carriages occurred on Wednesday, on the Eastern Counties railway, about two miles from Brentwood. The train, consisting of four first-class carriages, two second-class, and two third-class, with two trucks, upon which were placed two stage-coaches, (the Norwich Times and the Colchester Defiance) and thirty-five passengers, started from the station at Brentwood, at seven o'clock in the evening. Soon after starting, Foster, the engine-driver, put on such a pressure of steam that the train was propelled with very great velocity—at the rate, it is stated, of sixty miles an hour. When the train arrived near Pullwell's Gate, which is an excellent part of the road, the carriages rocked about in such a manner as to alarm all the passengers; and shortly after, the engine rushed off the rails, and ran down a declivity on the eastern side of the road of about ten feet; but before reaching the bottom it turned right over, carrying with it the whole of the carriages upon the train, with the exception of the two stage-coaches, which, with the trucks upon which they were placed, remained on the bank. The four first-class carriages were smashed to pieces, and those of the second and third classes were seriously damaged. A man named Eastman, in the company's employ, was found crushed to death under the wheel of the tender; and nine others were more or less injured by scalds and contusions. Austin, the fireman, was seriously hurt; and Foster, the engine-driver, was badly scalded. Mr. Ebsworth, a young man, one of the passengers, received a concussion of the brain, and died yesterday morning. It appears that Eastman was in an open carriage, next to the tender, with the guard; and the latter, on perceiving the danger in which they were placed by the velocity at which the train was proceeding, and the rocking of the carriages, forced down the drag with all his might; but, finding that an upset was unavoidable, he flung himself to the bottom of the carriage; and his lying flat upon the boards was the means, it is thought, of saving him from the fate of his companion. Mr. Pierson, a medical student, though a good deal hurt himself, most gallantly exerted himself to rescue his fellow sufferers, but at length became so weak that he fainted, and dropped into the arms of the coachman with whom he had been a passenger from Bury St. Edmund's.

On inspecting the rails near the place of the accident, it was apparent that the cause of the overturn was the reckless speed to

which the engine driver had forced his engine. The rails, for about 150 yards before the engine was upset, were warped in all directions; which could only be done by the violent motion of the wheels of the upset train.

An inquest was held the following day at Brentwood on the bodies of Mr. Ebsworth and George Eastman. The witnesses examined gave very contradictory accounts as to the speed of the train at the time of the accident. The guard, who said he was sitting with his back to the engine at the time, had not perceived any increase of speed. Some men employed on the road, and one of the passengers, also gave similar evidence. The policeman stationed near the spot said, the train was going so fast, that instead of saluting it, as usual, he was obliged to hold his hat on to prevent it from being blown off by the current of air caused by the velocity of the motion. A gentleman who resides near the place where the accident happened, also confirmed the evidence of the policeman. The rails, after the engine had passed, were, as the policeman said, "twisted like a snake." Mr. Braithwaite, engineer to the company, said he was decidedly of opinion that over-speed was the cause of the accident. At the part of the road where it occurred, there is an inclined plane, and the engineers were ordered to turn off the steam at that point. Foster, the engineer, had been employed by the company in that capacity about two months, and had been found very steady. The inspector said Foster appeared perfectly sober when the train started.

As a witness, from whom some important evidence is expected, was not able to attend yesterday in consequence of injuries he had received, the inquest was adjourned till Wednesday, in the following week,

When a verdict of "Accidental Death" was returned, and a deodand of 500*l.* laid upon the engine. During this interval, another man, Austin, expired.

21. Extensive Forgery. — Thomas Foster Geach was tried at the Monmouth Assizes, for forging the acceptance of Edmund Williams for 1,057*l.*, in June 1837; and for forging the signature of Rachel Herbert to a promissory-note for 1,000*l.*, in April 1838 He was found guilty on both charges; but the verdict was accompanied with a recommendation to mercy, because the forgeries did not occasion loss to the bankers. When brought up for sentence on Saturday, the prisoner addressed the court in mitigation of punishment. He said, that he had lost a large sum of money by assisting his friends during the depression of the iron-trade, in 1831: with a view to support his credit, he had recourse to the bills which formed the ground of the present charges; but he had no intention ultimately to defraud; he had not attempted to abscond with the money; and out of transactions involving more than half a million of money, only 300*l.* remained unaccounted for. Mr. Baron Parke said, that though he could not concur with the jury in their view of the case as a ground for recommendation to mercy, yet that recommendation should influence him in passing sentence, which would otherwise have been the severest the law allows. As it was, however, the prisoner would be transported for twenty

years. The verdict was recorded on the second indictment only, owing to some defect in the first. The prisoner's firmness did not once forsake him during the trial. Mr. Geach is about thirty-five years of age. It was understood, that he is the son of Mrs. Frost, by her first husband; and that Mrs. Geach is the niece of Miss Herbert, a lady of great wealth and great benevolence, who has built a church at her own expense, and also built and endowed a school and eight almshouses.

27. ABORTIVE ATTEMPT AT MURDER.—At about four o'clock on Thursday morning, the inmates of the Angel Inn, at Ludlow, were roused from their beds by cries of "fire" from one of the bed-rooms; and a noise was heard of breaking glass, as if some one were making frantic attempts to break open the window. The passage was immediately filled; and some one stumbled over a man who was lying on the ground, with his throat cut from ear to ear. The wounded man was recognised as a commercial traveller named Macreeth. He made signs for pen, ink, and paper, and wrote in a bold stiff hand, "I have been murdered by a villain." It was at first supposed, that Macreeth had attempted suicide, but after some time suspicion was directed to a different quarter. Drops of blood were observed on the floor from Mr. Macreeth's room to that of an adjoining room occupied by a young man named Misters. This, and the circumstance of a bloody razor having been found lying on the ground in a yard opposite the window of his room, led to his apprehension. Misters had arrived at the inn on the previous night, and introduced himself as a friend of a Mr. Ludlow, a cattle-dealer of Birmingham; whom it has since been ascertained he had been following to different parts of the country, for the purpose, it is supposed, of plundering him, it being known that Mr. Ludlow had large sums of money about him. Mr. Ludlow arrived at the Angel Inn the same evening. Misters had met him at Shrewsbury fair, on Tuesday, the 11th; and had there shown a strange anxiety to be made acquainted with his movements, and especially to be informed as to the room in the inn which Mr. Ludlow would occupy at night. At Shrewsbury, however, Ludlow slept at a friend's house; but Misters was present when he mentioned his intention of being at Ludlow on Wednesday. When he arrived at Ludlow, Misters again made inquiries as to Mr. Ludlow's proceedings; and on the arrival of the latter, he claimed acquaintance with him, upon the strength of their having mutual friends in Birmingham; and they took tea together. Mr. Ludlow inquired of the chamber-maid in the presence of the prisoner, whether he could have No. 9 room, that being the apartment usually occupied by him for a series of years on his visits to that town. The maid replied certainly; and shortly afterwards, the prisoner Misters retired to his bed, leaving Mr. Ludlow in the room below. Soon after the prisoner had retired to bed, the servant again entered the traveller's room, and informed Mr. Ludlow, that she had made a mistake, that the room he had usually occupied had, previously to his arrival, been shown to Mr. Macreeth, who had already deposited

a portion of his property there. Mr. Ludlow was then shown into another room; and by this mistake, probably, he escaped. In the morning, Misters remained in his room. When roused, he seemed confused, and said that he could not find his stockings. He was observed to leave the inn about eight o'clock, carrying something under his coat. He returned to the commercial room to breakfast; but in the mean time suspicion had been awakened, and he found himself in custody of the police. When his room was examined, blood was found on the floor, and marks of feet clothed in blood-soaked stockings; but no such stockings were found about the room. Marks of blood too were found upon the window-curtain. The deposition of the wounded man was taken by the magistrates at his bedside; he spoke with great difficulty, in a whisper. He said, that he was disturbed by some one feeling at his throat; and, putting up his hands, he felt a hole there, and the blood was running. He jumped out of bed, and ran to the window, in spite of some one who tried to hold him down by the night-shirt. (The shirt was found to have been torn from the left shoulder downwards.) He had two razors, with white handles, which were in a small box on the dressing-table. When he was disturbed, he opened a larger box and put in a small parcel and a bottle. He was not then aware, that he was so badly hurt. He then went to the door, which he had locked over night, and found it open. "I had every thing to make me happy," said the wounded man at the conclusion of his deposition, "and was going to be married in five weeks."

Misters was examined several times before the magistrates. One of the witnesses said, that under Macreeth's bed were marks, as if some one had been under the bed: the mark of a left hand was plain, and the appearance of the floor seemed to indicate that some one had been breathing on it. At the last examination, on Wednesday, a statement made by the prisoner, that he had passed the night previous to the murder at Worcester, was disproved. One witness said, he saw Misters on that night asleep in a barn in the neighbourhood of Ludlow. Dr. Lloyd stated, that although he could not pronounce Mr. Macreeth out of danger, there was every prospect of his ultimate recovery. All the witnesses were cross-examined by the prisoner with great shrewdness. His main object appeared to be to show the possiblility of mistake as to his identity, to account for the spots of blood leading from the room occupied by Mr. Macreeth to his own bed-room, and the stains of blood found on his shirt, and bed, and window-curtains. The prisoner was eventually committed.

28. Presentation of the Freedom of the City of London to Prince Albert.—The ceremony of presenting the freedom of the City of London to prince Albert took place to-day, in Guildhall, which had been fitted up for the occasion. Great fears had been entertained on Thursday, that the ceremony would not take place; for, after the accounts received at Windsor on Thursday of the alarming state of the princess Augusta, prince Albert wrote to the Lord Mayor, entirely postponing his intended visit to the city, and also to the Fishmon-

ger's Company. "It was only on the urgent remonstrance of the Lord Mayor, who went down late in the evening to Windsor Castle, with an improved account of the state of the princess, that his royal highness was induced to make some sacrifice of feeling, in attending the ceremonial part, and giving up the banquet."

At five o'clock, P.M., the prince arrived at the Guildhall, where the Lord Mayor, aldermen, and a number of common councilmen, were assembled to receive him. The prince was conducted to the council-chamber; where the lord mayor introduced his royal highness to the lady mayoress, and the ladies of several of the aldermen. From the council-chamber the prince walked with the lord mayor, preceded by the city officers, and followed by the sheriffs and aldermen, to the platform in the hall; the band playing "God save the Queen," and the company applauding and waiving handkerchiefs.

His royal highness stood at the right hand of the lord mayor; and the proceeding commenced by reading the resolution of the common council for presenting prince Albert with the freedom of the city. The names of six aldermen and common councilmen who undertook to vouch for the eligibility of the prince, and their declaration upon oath, were then read. The oath was as follows:—

"We declare, upon the oath we took at the time of our admission to the freedom of the city, that prince Albert is of good name and fame; that he does not desire the freedom of this city, whereby to defraud the queen or this city of any of their rights, customs, or advantages; but that he will pay his scot and bear his lot; and so we all say."

The chamberlain then proposed to the prince the freeman's oath, and it is remarked, that the prince was "evidently moved at that part where he swore to keep the peace towards her majesty." After the oath had been administered, the chamberlain addressed his royal highness and said,

"In your royal highness we recognise an illustrious descendant of the Saxon race, to whom this country is so largely indebted for those lights of civil and religious freedom, which, modified and improved by time and experience, have secured to this highly-favoured land a state of individual happiness and national prosperity to which no other country has yet attained."

Prince Albert then read the following answer, very distinctly and audibly,—

"It is with the greatest pleasure, that I meet you upon this occasion, and offer you my warmest thanks for the honour which has been conferred upon me by the presentation of the freedom of the city of London. The wealth and intelligence of this vast city have raised it to the highest eminence amongst the cities of the world; and it must, therefore, ever be esteemed a great distinction to be numbered amongst the members of your ancient corporation. I shall always remember with pride and satisfaction the day on which I became your fellow-citizen; and it is especially gratifying to me as marking your loyalty and affection to the queen."

29. LIVERPOOL ASSIZES.—LIBEL.—An action for libel was tried at these assizes, in which the rev. Mr. Hearne, a Roman Catholic

priest of Manchester, was the plaintiff, and the rev. Hugh Stowell, a clergyman of the Church of England, the defendant. The libel complained of was spoken at a meeting held on the 28th of April last, in Manchester, to petition parliament to withdraw the grant to Maynooth College; at which institution Mr. Hearne had been educated. The defendant was appointed chairman of the meeting. In the course of his speech, he animadverted strongly on the conduct of the priests educated at Maynooth; and in reference to Mr. Hearne, he made the following observations,—

"I bear in my hand, then, a document subscribed by three of the police at Manchester; one is not a policeman at the present moment, but he was at the time that he furnished this document. He states, that he was a policeman then, in Smedley-lane; and that one morning, a fortnight before that period, 'A dyer, going to his work, asked me if I had seen a man walking on his hands and knees the two last nights. I said, that I had not, but that I had seen him doing it the last two mornings, and that I at first thought he was making his escape, or concealing himself from some pursuers, but that I subsequently took him for a cripple.' Who was this mysterious person? 'In about ten minutes after this, the dupe (these are the witness's own words) made his appearance, crawling with his hands and knees on the roughest part of the pavement. I then resolved to satisfy myself; when I elicited the following answers from him. I asked him, 'What are you doing all that about?' 'It is penance for my sins.' * * * * 'Could you not atone for your sins without doing that?'—'No.' 'Why?'—'Because the priest will not administer the sacrament to me till I have done it.' 'How long have you done it?'—'Four days.' 'How many days more will it take before you finish?'—'I cannot tell.' 'But when will you go to your priest to know!'—'When I have done it nine days more I shall go.' 'How many hours do you do it each day?'—'Four hours.' 'At one time?'—'No, two in the morning and two at night.' 'Do you work at any thing?'—'I work in a factory.' (Poor fellow! working in a factory for twelve hours a day, and then dragging on his hands and knees over the rough stones for four hours a day more! The priest should have taken his place and done it for him.) 'Who is your priest?'—'Mr. Hearne.' 'What chapel do you go to?'—'St. Patrick's.' 'What is your name?'—'John O'Hara.' 'You had better come on the path, or go into that field, where it will be softer and easy for you.'—'Oh, no, that will not be doing penance.'"

Mr. Stowell admitted, that the document referred to had been correctly given, though there were inaccuracies in the report of his speech. The circumstances stated by Mr. Stowell were altogether denied by the plaintiff; and Roman Catholic clergymen were called to prove that no priest possesses power to impose such penances as that described; and that if any one were to do so he would be called to account by his bishop, and be liable to suspension. The defence set up to the action was, that Mr. Stowell had acted from a sense of duty; that he entertained no malignant feeling to Mr.

Hearne; and that he believed the circumstances stated in the document, which was signed by three persons. Mr. Baron Rolfe, in his summing up, said, that the law as stated by the counsel for the defence was entirely wrong: it would not be allowed that a man, to serve a creed, should go about and read documents to disparage individual character, even though he entertained no malice and believed the statements. The jury found a verdict for the plaintiff, with 40*s.* damages.

SEPTEMBER.

7. The Sea Serpent. — Not long since an American paper announced a new appearance of this marine monster, about whose existence the world is so naturally incredulous. A French captain has just related to us a remarkable circumstance, which he has himself witnessed, and his recital exhibits a degree of cautious reserve, which is well calculated to shake the obstinacy of the most sceptical. We shall preface his narrative by the remark, that the sea-serpent has been recently alleged to have been seen at different points along the whole line of the American coast. Captain D'Abnour, commander of the Ville de Rochefort, makes the following statement :—

"On the 21st of April, 1840, while we were in 24 deg. 13 min. N. latitude, and 89 deg. 52 min. W. longitude (calculated from the meridian of Paris), in the gulf of Mexico, we were running under a light breeze from E. N. E. with beautiful weather. In a few hours we distinguished something like a long chain of rocks, falling off by a gentle inclination at the two extremities, and elevated at the middle by only a few feet over the level of the sea. Against this object the sea broke softly. As we approached, we remarked that its different parts changed their position, and even their form, and we became perfectly certain that it was not a reef. A little later, we distinguished by the assistance of a telescope a long chain of enormous rings, resembling a number of barrels linked together, and in form very like the back of a silk-worm. It was a three-quarter view of the object which we had first obtained. As the ship approached, these appearances became more distinct, and we presently saw the extremity of an enormous tail, longitudinally divided into two sections, white and black. This tail appeared to wind itself up, and repose on a part of the object itself. Then, at the other extremity, we saw a membrane rising to the height of about two *metres* from the water, and inclining itself at a considerable angle upon the mass (without leaving it, however), and this led me to conjecture that the monster before us was provided with an apparatus for the purpose of respiration, like the lampreys. At last we perceived something like an *antenna* rising from the water, to the great height of nearly eight *metres*, terminated by a crescent of at least five *metres* from one extremity to the other.

"We could not approach sufficiently near to acquire any very positive idea as to what we had seen; but everything led us to believe that it was an enormous serpent of at least 100 *metres* in length."

10. Safety Beacon fixed on

Goodwin Sands.—On Thursday, captain Bullock, who has been for a long time engaged in endeavouring to fix a safety-beacon on the Goodwin Sands, accomplished his laborious work. The beacon he has succeeded in erecting consists of a column about forty feet above the level of the sea; having cleets and ropes attached to four of its sides, with holds for hands and feet. At the summit of the column is a gallery, of hexagon form, made of trellis-work, and capable of holding twenty persons at one time. Above the gallery, and in continuation of the column, is a flagstaff, ten feet long; making the entire beacon fifty feet in height. The sides of the gallery are so constructed as to enable the persons in it to be covered in with sailcloth, which is reefed in and round it, and can be used at pleasure; as also an awning to pass over it, which is fixed to the flagstaff; thus entirely protecting any unfortunate mariner who may seek shelter on the column from foul and tempestuous weather. A barrel of fresh water, together with a painted bag, enclosing a flag of distress, is stationed on the gallery; and the words "Hoist the flag," painted in the languages of all nations, on boards stationed round the inner part of the gallery, so that the foreigner as well as the native seamen may be enabled to show a signal of distress, and obtain help from shore, which is about seven miles distant from the beacon.

14. Dissensions among the Officers of the 11th Hussars.—A long statement and correspondence has appeared in the newspapers relative to the conduct of the earl of Cardigan, the commanding officer of the 11th Hussars, to captain Reynolds, an officer in the same regiment. The origin of the dispute was a bottle of Moselle wine, which captain Reynolds ordered at the mess on the 18th of May last, when major-general Sleigh, the inspecting-officer, dined with the officers. The Moselle was placed on the table in its original black-bottle state; which gave offence to the earl of Cardigan. The account of what followed in consequence we give in the words of the statement—

"The next morning, captain Jones delivered the following message to captain Reynolds—'The colonel has desired me, as president of the mess committee, to tell you that you were wrong in having a black bottle placed on the table at a great dinner like last night, as the mess should be conducted like a gentleman's table, and not like a tavern or pot-house,' or words to that effect. Captain Reynolds received the message with astonishment, but without remark, and subsequently waited upon the earl of Cardigan, and complained of it, but received no satisfactory answer.

"A short time afterwards, captain Reynolds met captain Jones in the mess-room, and, in the presence of two officers, said to him —'Captain Jones, I wish to speak to you about the message you brought to me this morning. In the first place, I do not think you were justified in giving it at all; as a brother captain, having no possible control over me, it would have been better taste if you had declined to deliver it.' He replied, 'I received it from the commanding-officer, and as such I gave it; and if you refuse to receive it from me, I will report it.'

Captain Reynolds replied, 'Do not misunderstand me, captain Jones: I have received, and do receive it; but the message was an offensive one; and I tell you once for all, that in future I will not allow you or any man to bring me offensive messages. Captain Jones said, 'If I am ordered to give a message, I shall give it.' Captain Reynolds said, "Well, you may do as you please, but if you bring me improper messages, you must take the consequence.' Captain Jones replied, 'he should certainly do so,' and left the room.

"The two captains who were present (one not an officer of the regiment) will prove that captain Reynolds's manner was quiet and inoffensive. Captain Jones reported the conversation; and soon afterwards captain Reynolds was summoned to the orderly-room; where, in the presence of major Jenkins, the adjutant, and captain Jones, lord Cardigan thus addressed captain Reynolds, in no very agreeable tone or manner—'If you cannot behave quietly, Sir, why don't you leave the regiment? This is just the way with you Indian officers; you think you know every thing; but I tell you, Sir, that you neither know your duty nor discipline. Oh, yes; you do know your duty, I believe, but you have no idea what 'ver of discipline, and do not at all justify my recommendation.' Captain Reynolds remained silent; when lord Cardigan added, 'Well, I put you in arrest.'

"Captain Jones then offered captain Reynolds his hand; upon which, captain Reynolds, turning towards him, said, 'No, captain Jones, I will not shake hands with you; nothing has passed which renders it necessary. I have no quarrel with you, and I deny having insulted you, and see no reason why I should shake hands with you, or the contrary.'

"Lord Cardigan said, 'But I say you have insulted captain Jones.' Captain Reynolds quietly replied, 'I have not, my Lord;' upon which Lord Cardigan said, 'Well, I put you under arrest, and shall report the matter to the Horse Guards.' Captain Reynolds said, 'I am sorry for it;' and retired."

The matter was reported to the Horse Guards, after Captain Reynolds had been in close arrest three days. Lord Hill sent a memorandum, recommending captain Reynolds to acknowledge the impropriety of his conduct towards lord Cardigan, and to declare his readiness to resume friendly intercourse with captain Jones. This recommendation captain Reynolds obeyed; but he still refused to shake hands with captain Jones, which would seem to imply a previous quarrel, or to drink wine with him within any specified time.

After many more details, too tedious to enumerate, the statement goes on to say—

"On Tuesday, the 9th of June, general Sleigh went to Canterbury; had all the officers of the regiment brought before him, and, without any investigation, read to them a letter from head-quarters, condemning captain Reynolds's conduct in very strong language, approving of lord Cardigan's throughout in every particular, stigmatizing captain Reynolds's motives as pernicious and vindictive, and refusing a court-martial, because many things would be brought to light which would not be for the good of the service.

"Captain Reynolds then requested that he might be brought to a court-martial for the offences with which he had now been charged. This was also refused, as it was stated lord Hill had determined it should be considered as settled. And, as if this was not enough, general Sleigh told captain Reynolds that he had forfeited the sympathy of every officer of rank in the service.

"Captain Reynolds applied for copies of all the letters referred to in this statement, which are not given at length; and was refused them.

"Mr. Harvey has since applied to lord Hill, in his own name, and in that of captain Basil Hall, the young gentleman's uncle, for all the documents connected with this transaction; and has been politely refused."

The arrest of captain Reynolds is stated to have continued nine days in the whole, being one day more than the maximum permitted by the articles of war.

About the same time, by a singular coincidence, the circumstances connected with an unfortunate misunderstanding between another captain Reynolds of the same regiment, and his colonel, lord Cardigan, were laid before the public; and this, we regret to say, unlike the former case, was attended with the most serious results.

It appears that, a short time back, an evening party was given by the earl of Cardigan, to which, as usual, several officers of the regiment were invited. In the course of the evening, a young lady observed casually aloud, that she "did not see captain Reynolds there," or words to that effect. The earl of Cardigan, who happened to be near, heard the remark, and replied, "Oh, no; he is not one of my visitors." The words were uttered without any marked expression, and did not at the time attract particular attention. They were, however, carried to captain Reynolds, who, conceiving that the expression was calculated to affect him as a gentleman, wrote a letter to the earl of Cardigan, to know if the expression had been used, and in what sense. This letter remained unanswered, and the consequence was, that captain Reynolds, stung with this apparent further slight, was induced to send a second and stronger letter, couched in terms which could bear no other interpretation than that of a challenge. On receiving this letter, the earl of Cardigan consulted with his friends, and, after fairly considering the matter, it was determined to submit the letters, with the whole of the circumstances connected with the case, to the consideration of the colonel of the regiment, his royal highness prince Albert. This was accordingly done, and the result was what might have been expected. The prince, on receiving the papers, laid them before the commander-in-chief, lord Hill, for his opinion thereon, when it was resolved by the latter to let the matter come fairly before the public in the shape of a court-martial, which, very shortly after these events, was held at Brighton. As an account of its proceedings will be found in another part of our volume, it is not necessary here to enter into further details, on this unpleasant subject. We need only state, that the court-martial confined itself chiefly to the consideration of the second letter

written by captain R. A. Reynolds to the earl of Cardigan, which is conceived to be couched in a spirit so insubordinate, ungentlemanly, and insolent, as to afford the writer no sort of excuse or palliation for his conduct on the alledged grounds of previous provocation on the part of his commanding officer, to whom it was addressed. And accordingly it adjudged captain R. A. Reynolds to be cashiered.

15. Duel between Lieutenant-Colonel the Earl of Cardigan (11th Dragoons) and Lieutenant Tuckett (late of the same Corps).—In consequence of the earl of Cardigan having ascertained that certain letters published recently in the *Morning Chronicle*, reflecting, as his lordship supposed, on his character as an officer and a gentleman, were written by lieutenant Tuckett, late of the same regiment (the 11th Dragoons, of which his lordship is lieutenant-colonel), the noble lord sent him, through captain Douglas, of the 11th, a challenge. This was of course accepted, and captain Wainwright, of the half-pay, was the friend selected by Mr. Tuckett to arrange the preliminaries. An apology was demanded by the noble lord, to which the reply was, that if he would deny the allegations contained in the letters referred to, it should be given. Lord Cardigan declared that certain portions of these letters were true, but that the greater part were calumnies. On this the apology was refused, and a meeting was the consequence. It took place on Saturday afternoon on Wimbledon-common. The first shot was ineffectual on both sides; on the second fire Mr. Tuckett received his adversary's ball in the back part of the lower ribs, which traversed round to the spine. The ball has been extracted, and Mr. Tuckett is doing well, having been pronounced out of danger.

Subsequently warrants were issued, and lord Cardigan and his second were brought before the bench of Surry magistrates at Wandsworth; and after several re-examinations, lord Cardigan was finally committed for trial on the charge of "shooting at captain H. Tuckett with a pistol, with intent to murder or do him some bodily harm," and his second for aiding and abetting him. The charge was laid under an act of the 1st Vict. cap. 85, which makes the offence set forth in the charge a felony.

17. Meeting of the Proprietors of the Bank of England.]—The half-yearly meeting of the proprietors of the Bank of England was held on Thursday. The deputy-governor, sir J. H. Pelly, (in the absence of the governor, sir John Rae Reid, on his wedding-excursion,) took the chair. In opening the business of the day, he said the court of directors proposed that a dividend of 3½ per cent. should be declared on the half year's accounts ending in October next—

He presumed that he would be asked how the "rest" stood; and he would now state that it amounted, up to the day when the accounts were made up, to 2,852,030*l.* In April 1840, it amounted to 2,867,285*l.*; consequently they would take from the rest the sum of 15,255*l.* for the present dividend. That was a very small amount to take from the rest, considering the casual circumstances that had occurred

in the course of the year; and he would call the attention of the court to the fact that the rest was, on the 10th of October, 1838, when they began to pay 7 per cent., 2,775,802*l.*, while it was at present 2,852,030*l.* There was, therefore, an increase in the amount of the rest, after deducting the dividend of 7 per cent., of 77,000*l.* The directors were consequently warranted in presuming that there would be no diminution in the amount of the dividend of 7 per cent. for the future.

Mr. Selwyn wished to know whether, since their last half-yearly meeting, there had been any disposition of that part of their property entitled the Dead-weight?

The deputy-governor—"None whatever."

Mr. Selwyn—"Has there been any agreement or new arrangement with any parties for the sale of any part of their property?"

The deputy-governor—"None." ("*Hear, hear!*")

Mr. Selwyn—"I would now ask if there has been any alteration in the system of branch banks?"

The deputy-governor—"None at all."

Mr. Selwyn—"And whether the system of branch banks still continues, as former governors have assured us, to be approved of, and if it is profitable to the bank?"

The deputy-governor—"Decidedly." (*Hear, hear!*")

Mr. Selwyn—"As these questions have been answered to my satisfaction, and doubtless my brother proprietors, I beg to move that the dividend of 3½ per cent. be agreed to." (*Cheers.*)

The question having been carried in the affirmative,

Mr. Cooke complained of the reduction of the value of the property of the proprietors; and contended, that if the deposit-business of the bank were taken away by parliament, the proprietors would have a direct claim for compensation from the government. Mr. Thompson observed, that as the proprietors of bank stock had been obliged to submit to a reduction of their dividends, it was only fair that a reduction should be made in the salaries of the directors: he moved, therefore, that the salary of the directors be reduced one-half, that of the governor one-third, and that of the deputy-governor one-fifth. Mr. Selwyn said, that thirty-six years ago the salaries had been doubled; and as the profits had diminished, it would be reasonable that the directors and governors should participate in the diminution. Mr. Young moved as an amendment to Mr. Thompson's motion—"That this court continue to place unlimited confidence in the court of directors, and return them their best thanks for their attention to the concerns of the establishment." The words "unlimited confidence" were objected to by Mr. Blackburn. The resolution was then put in the following terms—"That this court have full confidence in the court of directors, and return their thanks for their attention to the affairs of the corporation." It was carried by a large majority, there being only two or three hands held up against it.

The deputy-governor stated, in answer to a proprietor, that the government had borrowed 13,000,000*l.* from the bank; which

was repaid by sums of 585,740*l.* annually, and about 9,500,000*l.* was now due to them. The interest paid was 4*l.* 2*s.* per cent.

The meeting then adjourned.

—. Trial of Madame Laffarge for the Murder of her Husband.—We give the following abridgment of a trial which has lately taken place at Tulle in France, and has created intense excitement in that country. It commenced on the 3rd inst.

The prisoner was dressed in deep mourning: she declared herself to be twenty-four years of age. The husband of the prisoner was the owner of iron-works. In 1839 he lost his first wife, and he sought a second, with whom he might get money, to enable him to carry on his speculations. He applied to M. Foy, the marriage-broker, who introduced him to Marie Capelle, the prisoner, who had about 1,600*l.* fortune, with about 40*l.* a year. They were married, and he took her into the country. As soon as she arrived at his house at Glandier, she shut herself up in her room, and wrote to her husband as follows—

"Charles, I crave pardon of you on my knees. I have deceived you. I do not love you. I love another. I esteem you. But let me die. I love another, also called Charles, handsome, noble. We have long loved. Last year another woman deprived me of his heart. I thought I should have died. For despite I resolved to marry, and, ignorant of the mysteries of marriage, accepted your hand. I thought a kiss on my forehead would have contented you, and that you would have been to me as a father. Comprehend, then, what I have suffered these three days. I respect you, but habits and character have put an abyss between us. Instead of the sweet words of love, trivial kindness, bursts of affection, nothing but those sensual feelings which actuate you disgust me! Him that I love I saw at Orleans since our marriage. He has repented. He hid himself at Uzerche. I shall be an adultress despite of me. Let me depart. Get me horses, disguise, I will hasten off to Smyrna. I will live by my hands, or by giving lessons. Oh! throw my cloak on one of yon precipices, and give me arsenic. I cannot give you my affection, but you may take my life. Your caresses are odious to me. I have swallowed poison, but too little; tried to shoot myself, but was afraid. Save me from myself," &c.

Laffarge consulted one of his friends, and it was agreed not to let her go, but try to reclaim her with kindness, and win her affection. Madame Laffarge, retained by her husband, affected to be touched by his efforts, and consented to grant him her affectionate cares as a wife. She became ill, or feigned illness, and wrote a will in favour of her husband. He could do no less than imitate her example. Soon after Laffarge discovered what he thought a useful secret, and went to Paris to get a patent for it. It was in December when he went: Madame Laffarge announced her desire of sending him her portrait. Moreover, she prepared to send him cakes. She asked his mother to make some; but the one she sent was of another kind, and Laffarge, as soon as he ate of it, was taken with violent vomitings. Meantime, Madame Laffarge made inquiries about mourning. Laffarge returned ill to Glandier the 5th of January.

Soon after his return his wife gave him a truffled fowl to eat. From this he became worse, and died in nine days after, on the 14th, in great agonies. The advocate-general, from whose statement of the case the foregoing outline of the charge against Madame Laffarge is taken, said it would be proved, that she was in possession of large quantities of arsenic, got under pretence of killing rats. Proofs would be brought, that she had put a white powder into all Laffarge's drinks. It was examined, and supposed to be chalk, but was afterwards proved to be arsenic. When questioned by one of Laffarge's relations about the white powder, she filled the vase where the white particles appeared with water, and swallowed it. She had violent cholics in the night. The physician, Lespines, suspected that poison had been administered. He gave peroxide of iron to combat it; but it was too late.

Madame Laffarge underwent a long examination by the judge, and answered the searching questions put to her with great adroitness. She denied, that she had attempted to poison or to shoot herself, as was said in her letter written to her husband. She said she was miserable in being brought to the old gloomy country-house of her husband, and maddened by having seen her former lover at Orleans. Madame Laffarge's examination continued for three hours. At the close of her examination she was exhausted with fatigue.

Some notes written by Madame Laffarge to young Guyet, her former lover, who has lately committed suicide, are published in the journals. The purport of these notes was to beg of him not to compromise her honour, but to save her by his silence.

Some of the witnesses examined against the prisoner exhibited extreme malignity towards her. The evidence of the surgeons and chemists who had tested the contents of the deceased's stomach, and also the remains of the food which had been given to him, not having been considered satisfactory, it was determined to exhume the body, for the purpose of submitting it to further examination. The commissioners appointed by the court arrived at Tulle on the 8th instant, after having effected the exhumation. In their way to the place of interment they visited the habitable part as well as the ruins of Glandier, both of which are now deserted. On arriving at the burying-ground, they were met by the Juge de Paix of Lubersac, and were surrounded by an immense crowd. Large quantities of chlorate were poured out round the grave before it was opened. The coffin was little more than three feet below the surface; and when opened, the body presented a hideous spectacle, and so much decomposed, that instead of the usual instruments, it was necessary, in order to take from it what was wanted, to use a spoon, which was sent for from the village. This species of paste, rather than flesh, was put into earthen pots, to be brought to Tulle. On their arrival, the chemists placed their alembics on the road which surrounds the Palais de Justice. Five or six furnaces were ranged in a circle, and supplied with charcoal from an enormous brazier, which was kept constantly at a red heat. The heights which commanded this extraordinary

scene were crowded with spectators, looking on the operations of this laboratory in the open air; but they were hindered by a dense and fœtid vapour from seeing much of what was going on. The odour emitted was so powerful, that, at the afternoon sitting, it was thought it would be impossible to remain in court. The ladies, however, sustained the annoyance with astonishing resolution. Two of them are said to have applied for permission to see the operations of the chemists, but were refused. At half-past one o'clock, the court presented a most singular aspect: every one was holding a handkerchief to the nose with one hand, and a smelling-bottle in the other. It is said, that upwards of five hundred smelling-bottles were sold in the course of the day. It was expected, that in consideration of the feelings and health of Madame Laffarge, the proceedings would be postponed; but the jury expressed their desire that they should be continued, and the judge assented.

The examination of the witnesses then proceeded. One point involved in mystery, which the evidence did not elucidate, was the circumstance stated by Madame Laffarge and other witnesses, that the cakes sent to M. Laffarge at Paris were several small cakes; whereas it appeared that M. Laffarge received only one large cake, which was supposed to be poisoned. It appeared also, that when M. Laffarge went to Paris, he took with him an unlimited procuration, signed by his wife for the disposal of her property; on which he borrowed 25,000 francs; and there was no trace of what had become of the money. Most of the witnesses for the prosecution admitted, that the old dilapidated house at Glandier was infested with rats; and that Madame Laffarge had made no secret of sending several times for arsenic, for the purpose, as alleged, of destroying them.

On the 9th, the commissioners reported that no traces of arsenic could be found in the remains. The report was received with loud applause by the spectators in court: Madame Laffarge leaned over to M. Paillet, her counsel (who shed tears), and exclaimed, "These explanations could have been had eight months since, and then there would not even have been an accusation." Madame Laffarge's sister ran towards her to embrace her, but fainted before she reached her.

The advocate-general admitted, that the trial had assumed a different aspect after the evidence of the chemists; but still, the circumstances against Madame Laffarge were so strong, that, for the purpose of her complete exculpation in the opinion of the public, if she were innocent he thought the remains of the deceased should undergo another analysis, by some of the most distinguished chemists in France. In the mean time, the examination of witnesses proceeded. Messrs. Orfila, Duvergier, and Chevalier, who were appointed to conduct the second analysis, arrived at Tulle on Sunday. They presented their report on the 14th, stating that arsenic was found in every part of the body which was submitted to analyzation.

It appears, that after this report of M. Orfila, the prisoner became suddenly unwell; which gave rise to the rumour that she

had swallowed poison. The trial was postponed in consequence of her illness; but on the 17th she was considered sufficiently recovered to be again brought into court. She appeared exceedingly ill, but was calm and collected. During the morning, however, an adjournment of some hours took place till evening, in consequence of her not being able to bear the fatigue. M. Paillet then commenced her defence. He told the history of her life; and quoted letters from the marquess of Mornay, deputy of the Oise, and son-in-law of marshal Soult, from the viscountess Montesquieu, the countess de Valence, mother-in-law of marshal Gerard; from marshal Gerard himself, and other letters from persons of distinction; to establish the morality and uniform good conduct of Madame Laffarge from childhood upwards. On the 18th, M. Paillet concluded his address; winding up with the following peroration,—

"Hasten to restore to the care and tenderness of her family what the slow agonies of a prison have left of this young woman, once so brilliant, once so enviable, and now reduced to that sad state which ought to render her an object of grief and pity even to her enemies. Courage! however; courage, poor Marie! I hope that providence, who has so miraculously sustained you during these long trials, will not abandon you. No! You will live for your family, who love you so much; for your numerous friends; you will live for your judges themselves; you will live as a glorious testimony of human justice when it is confided to pure hands, to enlightened minds, and to tender and compassionate souls."

The address of M. Paillet produced most intense sensation among the auditory. After leaving the hall, Madame Laffarge, on arriving at her cell, wrote to M. Paillet the following note, in a trembling hand,—"My noble saviour, I send you what I have most precious in the world, the cross of the Legion of Honour of my father."

On the following morning, Madame Laffarge was brought into court in an arm-chair. Before the president summed up, she exclaimed, "Oh, I am innocent! I swear to you, gentlemen, that I am innocent!" The president went through the whole of the evidence, both for the prosecution and the defence, with the greatest minuteness. The jury then retired to deliberate on their verdict. They were absent three-quarters of an hour, and returned into court at nine o'clock. "At this time the court wore a gloomy appearance, being lighted only by a few candles, which were flickering in the wind. As the jury entered, the most anxious feeling was evinced by the audience, and their countenances were scrutinized as if their verdict was to be read there before they should speak. The foreman, in a voice tremulous with emotion, delivered the verdict of the jury, finding Marie Fortunee Capelle, widow of Charles Joseph Pouch Laffarge, "Guilty, with extenuating circumstances." This announcement produced "a sad and deep impression upon the assembly, followed by a solemn silence."

The president ordered the gensdarmes to bring the prisoner into court to receive sentence; but it was announced, that she was in a swoon. The counsel for Madame

Laffarge urged the president not to require her to be brought into court insensible, but to pass judgment in her absence. The president consented, and condemned Madame Laffarge to hard labour for life and exposure in the pillory.

A letter from Tulle, dated Sunday morning half-past nine o'clock, says, "The registrar went to the gaol at half-past eleven last night, to read to Madame Laffarge the judgment rendered by the court; but we are assured, that she was totally incapable of hearing it. She is in an alarming condition. The nervous affection to which she has constantly been a prey has become aggravated by other symptoms, as hypertrophia, phthisis, &c. to such a degree, that her death may be expected very shortly. Her counsel are preparing an appeal to the Court of Cassation, and it is believed, that it may be well grounded on some irregularities in the proceedings. The requisitory of the advocate-general, and the judgement of the court were made known to her this morning. Messrs. Paillet and Desmonts will leave us this evening for Paris."

The trial has excited the more interest in France from the relationship of Madame Laffarge—grandaughter of Madame de Genlis—to Louis Philippe.

17. New Zealand Company.—A meeting of the shareholders of the New Zealand Company was held at their house in Broad Street Buildings, for the purpose of declaring a dividend. A large profit, about 27,000*l.* upon the land-sales for the first year, was announced at a former meeting; but the directors deemed it advisable to await the news of the safe arrival of the several emigrant-ships, which has now been effected, before declaring a dividend. It would appear, that seven ships sailed last season from the port of London, one from Plymouth, and one from Glasgow; the quickest passage being made by the Tory, which arrived at her destination from London, in the short space of 102 days. The site of the first town has been fixed at Lambton Harbour, being the inner harbour on the west side of Port Nicholson; where the surveys were proceeding under the direction of colonel Wakefield. In the mean time, the colonists had formed temporary residences, and entered into commercial business with considerable activity. From numerous letters from the settlers and the company's officers, it seems that the position chosen for the future town, is within a harbour sheltered from all winds, with a secure anchorage for the largest ships, and but a very short distance from the shore. The letters from the settlers exhibited a tone of cheerfulness and satisfaction the country being considered by the writers to be one of grea salubrity, fertility, and rich natural productions. The labouring classes had readily found employment at liberal wages; and there had been so little occasion to make provision for those who could not otherwise obtain work, that at the date of the last advices only four labourers were on the hands of the company. Provisions were at reasonable prices, and importations of stock-cattle from Sydney had insured an ample supply of fresh food.

21. Steam to India by the Cape.—A new steam-ship, called the India, and intended for the

region whose name she bears, made an experimental voyage on Tuesday, down the Thames and round the Nore. She is a beautiful vessel of 1,200 tons and nearly 400 horse power; built with a flush deck, 180 feet in length and 40 feet broad; and splendidly fitted up. The India leaves Blackwall on Saturday for Calcutta, *via* the Cape of Good Hope, where she is to stay five days. It is expected, that she will complete the voyage, including the stoppages, within seventy-five days.

24. Meeting of the British Association at Glasgow.—The tenth meeting of the British Association, for the advancement of science commenced at Glasgow on Thursday. The numbers assembled fully equalled those at any of the preceding meetings of the association; and as most of the places where the different sections assembled were concentrated within the college, there was a greater appearance of bustle and animation than on any former occasion. The distinguished scientific individuals present, and who took part in the proceedings of the meeting, were sir J. Robinson, sir D. Brewster, professors Whewell, Buckland, Airey, Graham, Thomson, Forbes, Gregory, Jacobi, Encke, M. de la Beche, Mr. Murchison, Mr. C. Lyell, major Sabine, Dr. Chalmers, Dr. Alison, &c. The different branches of science and philosophical inquiry were divided into seven sections; comprising mathematics and physics, chemistry and mineralogy, geology, zoology and botany, medical science, statistics, and mechanics.

The association continued its sittings during several days; in the course of which, a great number of papers were read, purporting to throw some new light on the several branches of science above mentioned; and the usual quantity of dinners took place.

29. Fire in Plymouth Dockyard.—At twenty minutes past four, the police officer on duty near the three northern docks, which contained the Talavera, 72, and Minden, 72, fitting as demonstration ships, and the Imogene, 28, fitting for commission, suddenly observed smoke issuing from the bow-port holes of the Talavera, which lay in what is called the stern dock. He immediately ran to the station at the gate, and lieutenant Williams, the superintendent, got out the engine, caused the bell to be rung, and was on the spot with a strong body of his men within a few minutes of the first alarm. The fire had meanwhile burst forth with tremendous fury, and caught the lightly constructed roof over the dock. It was at once seen that nothing could save the ship. The engine, with others which speedily arrived, were, however, brought to play upon the burning mass, in the hope of so far checking its fury as to prevent the fire from extending to the Adelaide Gallery, and sheds, containing prepared timber, deals, knees, &c., which stood in the immediate vicinity of the dock towards the east.

Every man exerted himself to the utmost, but all efforts were vain. The flames from the Talavera communicated with the timber lying around the dock, and from thence caught the right-hand shed, next to the Adelaide Gallery. About the same time the burning rafters from the roof set fire to the gallery itself. In seventeen minutes from the first dis-

covery of the smoke by the policeman, the Talavera, the two sheds with their combustible contents, the gallery, and a large quantity of deals, planks, and other loose timber spread along the wharfs, were one entire mass of flame, producing an effect the most awful and sublime; the roof, sheds, and gallery being fifty or sixty feet in height, built of timber, and stored almost to the top with similar materials.

From the Adelaide Gallery and sheds, the whole of which were burnt down before five o'clock, the fire had communicated to the roof erected over the south dock, in which was the Imogene, and at a quarter past five o'clock both the ship and the roof were one mass of flame, presenting a most extraordinary appearance, especially from the river.

Shortly after six o'clock, the Imogene, with her roof-shed, was entirely consumed; but such had been the intensity of the heat in the immediate neighbourhood of the dock, that no one could approach sufficiently near to apply the hose to the large piles of timber surrounding it, which had consequently taken fire, and were burning freely. But now all hands went to work to extinguish the fiery mass, for on accomplishing this object depended the safety of the rigging-house and the range of store-houses in front, the paint on the doors and windows of which had already melted with the heat. Several engines had been playing on those store-houses to prevent ignition, but they were all, except one on the top of the eastern store house, turned upon the wood blazing on the dock, and by a powerful and well-directed effort, the fire was repelled and finally extinguished by the time the Talavera in the stern-dock had burnt to the water's edge. The Minden has sustained considerable injury in her bows, and a large quantity of timber, besides what was entirely consumed, has been so much damaged by being partially burnt, as to be rendered useless for the purposes originally intended.

It is impossible to rely on any statements of the amount of property destroyed by this tremendous fire, but the lowest estimate we have yet heard exceeds 200,000*l* including the value of the Talavera and Imogene, and the cost of the repairs necessary for the Minden and the docks.

OCTOBER.

1. Funeral of the Princess Augusta.—The remains of the princess Augusta were removed from Clarence-house, St. James's, at half-past seven o'clock on Thursday evening, escorted by a detatchment of the Ninth Lancers, in the following order. The carriages of the duchess of Kent, the princess Sophia, the duchess of Gloucester, and the queen Dowager. Then came the hearse, drawn by eight horses, decorated with escutcheons of her late royal highness's arms. Next a mourning-coach, drawn by six horses, in which were lady Mary Pelham and Miss Wynward; a mourning-coach, drawn by four horses, in which were two gentlemen of the lord chamberlain's department; a mourning-coach, drawn by four horses, in which were the pages and the dressers of her late royal highness. Sir William Martins, of the lord chamberlain's depart-

ment, and the rev. J. R. Wood, chaplain to the queen Dowager, attended at Clarence-house during the mournful ceremony.

At a quarter to eight o'clock, the procession moved along the carriage-mall of St. James's park, past Buckingham palace, and up Constitution-hill, followed by an immense number of persons. At Hammersmith, Turnham Green, Brentford, and in fact all along the road, the sides were lined with people; but the greatest order was everywhere preserved by the police. The procession arrived at Frogmore between eleven and twelve o'clock, where the body lay in state till four o'clock.

The same evening the funeral procession left Frogmore between seven and eight o'clock by torch-light; and arrived at St. George's chapel at a quarter before nine. The procession was attended by a considerable number of persons. The weather was favourable; and the night being dark, the effect of the flambeaux flashing on the uniforms and glittering arms of the soldiers was singularly picturesque.

At the entrance to St. George's Chapel, the dean, the honourable H. L. Hobart, D.D., and prebendaries, attended by the choir, received the body; and the procession, having previously been formed, moved down the south aisle and up the nave, into the choir, in the order prescribed in the official programme.

As the procession moved, the service commenced by the choir singing, "I am the resurrection and the life." When the procession had entered the choir, the doors communicating with the nave were closed, and only a very few persons were admitted who had special tickets from the lord chamberlain. The service was read by the dean of Windsor. The knights of the garter who were present occupied their several stalls.

When the time came for lowering the coffin, it was let down into the entrance to the passage to the royal vault. The pall was taken off and the coronet and cushion were replaced on the coffin. The service was then concluded; and the garter king of arms proclaimed the style and titles of the deceased princess.

The chief mourner was the duchess of Bedford; her train was borne by lady Wheatley. The supporters of the chief mourner were the countess of Charlemont and the countess of Sandwich. The ladies and gentlemen invited to join the procession were—Marchioness Cornwallis, lady Agnes Buller, lady Charles Somerset, lady Caroline Legge, lady Charlotte Dundas; lord Hill, lord Bloomfield, lord Carteret, baron Munchausen, sir Brook Taylor, sir Henry Wheatley, sir William Freemantle, sir Henry Campbell, sir Frederick Watson, sir Joseph Wheatley, dean of Hereford, reverend J. R. Wood, lieutenant Frederick Stephenson, colonel Vyse, sir Charles Thornton, and colonel Wynward. The duke of Sussex was prevented from attending the funeral by illness.

6. Mayoralty of London — Contested Election.—This was the seventh and last day of polling for this important office, and the following was the final result:—Mr. alderman Pirie, 2,741; Mr. alderman T. Johnson, 2,713; Mr. alderman Harmer, 2,294—Majority for Pirie over Harmer, 447; Majority for Johnson over Harmer, 419.

Under ordinary circumstances, Mr. alderman Harmer would have been elected without opposition, as he was next in rotation, to be chosen for the office, but being proved to be the proprietor of a seditious and blasphemous journal called "The Weekly Dispatch," the livery of the city of London. to their great praise, thought fit, as we have seen, to pass him over, Mr. alderman Johnson, as being next in rotation to the defeated candidate, was eventually elected lord mayor. Mr. Harmer soon after these events resigned his aldermanic gown. It may be mentioned, that Mr. Harmer several times during the contest, disclaimed all sympathy with the opinions promulgated in the paper of which he is proprietor.

10. Fire Discovered in Sheerness Dockyard.—The startling intelligence was received in London, this day, that an attempt had been made to set fire to the shipping and dockyard at Sheerness. Coming so soon after the news of the fire in Devonport dockyard, it excited very great interest. As the workpeople were leaving the yard on Friday night, an alarm of fire was given on board the Camperdown, close to the shed where the Achille is. It was discovered by Mr. Henty, the ship's carpenter, who observed a smoke issuiug from the after-cockpit. The officers were immediately on the spot; and discovered that the fire had commenced in one of the lockers of the midshipmen's berth on the larboard side; and it was extinguished without any damage beyond the destruction of the locker. When the locker was ripped up, there was found a birch-broom over a bundle of oakum, pounded resin, and a lock of hay, immediately over the locker between the beams. After this discovery had been made, the officers found other combustible materials secreted inside one of the latticed racks, consisting of oakum spread out in trains, and a lucifer-match at the end of each train, and matches also intermixed with the oakum: powdered resin was also mixed with it, and a birch-broom placed on the top of all: a match at the end of one of the trains had evidently ignited and gone out. The ship was then thoroughly searched, as also the Monarch, Achille, and the Cornwall. Lord Minto and sir Charles Adam left town for Sheerness immediately on the intelligence of the attempt reaching the admiralty, and instituted a rigorous inquiry. On Saturday morning, three men, named Wright, Britt, and Grigg, were arrested; but next day (for the inquiry was pursued on the Sunday) they were liberated, and Mr. Henty himself was arrested. The suspicion is, that he set the Camperdown on fire in order to obtain credit for discovering it and extinguishing it before any great damage was done, with a view to promotion. He was remanded till Thursday; on which day the depositions of the witnesses against him were read. They establish a strong case of suspicion. He was again remanded for a week, in order that fresh evidence, and a model of the Camperdown, might be procured. Henty has been twelve or fourteen years in the navy, and was regarded as a very respectable man.

He was subsequently brought before a court-martial for having made a false report of the extent of the fire to his commanding officer, but declared innocent of the

other charges laid against him. In consequence of his previous good character he was only sentenced to be severely reprimanded.

15. Attempt to Assassinate the King of the French.—Another attempt at Paris to murder king Louis Philippe, was made on the evening of this day, The following account of it is given in the 'Journal des Debats' of the 16th inst.

"Last evening, at fifty-five minutes past five o'clock, when the king was returning to St. Cloud, accompanied by the queen and madame Adelaide, and was passing along the quay of the Tuileries, near the Pont de la Concorde, opposite to the guardhouse du Lion, an individual fired a carbine in the direction of the carriage. Their majesties, who fortunately were not injured, continued their journey. The assassin had evidently chosen this position with the intention of taking advantage (like Alibaud) of the instant that the king would salute the troops under arms. The king, in fact, always salutes the guard, whether troops of the line or national guard, and in so doing lets down the glass of the carriage and advances forward. One of the grenadiers on guard immediately seized the assassin; who said, 'I am not going away.' He was then taken to the guardhouse. The prefect of police arrived in a few minutes, and interrogated him. He confessed his crime, and declared that his name was Marius Ennemond Darmes. He said that he was a native of Marseilles, and had been for a long time in Paris, and was employed as a *frotteur* (in polishing the floors of apartments.) He was clad in a long frock-coat, under which he concealed his carbine, the stock of which was expensively carved. He was forty-three years of age.

"He was searched, and on his person were found two loaded pistols and a poniard. The carbine, which had been cut short and loaded up to the muzzle, had burst. The charge did not scatter, and the carriage was but slightly struck. The assassin, however, was severely wounded in the left hand. His carbine was loaded with several balls and slugs. The explosion was extremely loud. One of the national guard of the escort was slightly wounded in the hand by a slug. One of the footmen who was standing behind the carriage was wounded in the leg. The wound is not dangerous, but the ball has not been yet extracted.

"It was remarked, that after he committed the crime he made no attempt to escape, and that he in a measure delivered himself up to the soldiers and police-officers who arrested him. At eight o'clock, a hackney-coach was brought to the guardhouse: he was placed in it accompanied by two municipal guards, and a strong escort of police preceded and followed it. A considerable multitude of spectators followed the coach in silent astonishment.

"Their majesties proceeded to St. Cloud. Very shortly after the event had occurred, the duke and duchess of Orleans left the Tuileries, and went to St. Cloud. The duke d'Aumale arrived at St. Cloud from Vincennes in the course of the evening. A considerable number of Peers, deputies, and cabinet ministers, and several members of the diplomatic body, amongst whom we remarked lord Granville, the English ambassador, repaired to St. Cloud on the first news of the attack.

"On the boulevards and public places the news of the attempt on the king's life produced an extraordinary effect."

17. Fatal Accident on the Southampton Railway.—A melancholy accident occurred on this railway near the London station, of which the following are the principal details:—A mixed train had left Southampton at half-past one, and should have arrived at the Nine Elms station at a quarter past five. From the greatness of the load, this train, although drawn half the distance by engines, was thirty-five minutes beyond its time, and did not therefore arrive at the London station until ten minutes before six. About 100 yards from the arrival-shed at Nine Elms, the engines which had drawn it were, as usual, detached from the train, and a rope by which the carriages was drawn under the arrival-shed was fastened to them. Unhappily, as this operation was proceeding, the fast train, which had left Southampton at three o'clock, and which became due at Nine Elms at six o'clock, arrived; and owing to the hazy state of the atmosphere, and the omission of the person who had the care of the signal lamp, the driver of this train was not aware that his passage into the shed would meet with any obstruction, and a collision between the trains was the consequence.

It appears that at some considerable distance from the point where the former train had stopped for the detachment of the engine there is a signal lamp, at which a man is posted, whose particular duty it is, by turning a red or green glass over the light, in case of any obstruction at the station, to announce to any engine, or train, which may be approaching, that there is cause (if the light be red) to stop altogether, or (if the light be green) to approach with great caution; and it became his duty, on the very late arrival of the first train, to give notice by displaying the red light. This person was at his post, but the lamp was not made to exhibit any signs of danger; and the second train, its driver not being able from the state of the atmosphere to see the train before him, came in contact with the hindermost carriages of the other train. The shock was a severe one, although no danger appears to have been done to any person or property in the second train. The effect on the first train was more serious. A female servant, named Elizabeth Andrews, who was seated in the last carriage, was killed by the shock, her death was instantaneous. Her fellow-servant, although seated beside her, sustained but little injury.

Of the other sufferers one was severely injured in the body, and had some ribs broken. There were several other contusions and injuries of more or less severity.

20. Strange Attempt of a Gentleman to Murder his Wife.—Mr. Pearce, a gentleman residing in Bedford-place, Kensington, was this day brought before the magistrates of the police-court in that district, charged with attempting to kill his wife.

Mr. Joseph Rose deposed, On Friday last, the 16th instant, I was at the house of Mr. Pearce, 23, Bedford-place, Kensington, between two and three o'clock in the afternoon. We were going to dinner, and there were present in the dining-room, myself, Mr. and Mrs. Pearce, and their little boy. Before the dinner could be placed

on the table, Mr. Pearce got up in a very agitated state, complaining of the suffocating heat of the room. He then threw up the window very violently, and I heard him say to his wife—"You have been poisoning me for the last fortnight;" and as he turned round I heard the report of a pistol—in fact, I saw the flash.

At the instant of the firing I observed Mrs. Pearce throw up her arm, and saw that she was in the act of falling. I immediately jumped up. Mr. Pearce was then standing over her, and I saw her crawl out of the room into a conservatory adjoining, whence she descended some steps into the garden, and I think she fell at the bottom of them, and I lost sight of her in the garden, the house being a corner one.

Mr. C. Phillips.—Did you, on seeing what you have described, say any thing to Mr. Pearce?

Witness.—Yes, I did. I asked him if he was serious, or meant what he had done as a feint? and to the latter interrogatory he replied "No." I then asked him if the pistol had contained a ball, to which he made no answer; on which I said, "I feared it was a very serious matter." Mr. Pearce then shook his head, and struck his forehead, appearing to be very violently agitated. I then looked through the window, and saw Mrs. Pearce had got into the road. I went to her, and she complained of being on fire under her left arm. I saw the fire, and put it out with my hand. The neighbours who had collected called out for her to be taken to a medical man, and she was taken away by the cook. I have not seen her since.

Amelia Crutchfield, cook in the service of the prisoner, produced the clothes worn by Mrs. Pearce on Friday last, and also a bullet, which she found on the Saturday evening under the chair on which her mistress was sitting at the time she was shot.

After some further testimony had been adduced, the witnesses were bound over to appear on the trial, and Mr. Pearce was committed to Newgate.

— The late Gold Dust Robbery.—Within the last few days Money Moses and the two Caspars, father and son, who it will be recollected were concerned in and found guilty of the late remarkable gold dust robbery, were removed from her majesty's dockyard, Plymouth, and put on board the lord Lynedoch transport, to be taken to Sydney, pursuant to their sentence. The transportation of the convicts had been frequently before announced, and it has been a matter of some surprise to many acquainted with the circumstances of the robbery why they should have been kept so long, but the delay is supposed to be attributable to the efforts made on their behalf by their friends to be allowed to remain in this country. On the part particularly of the elder Caspar, considerable efforts were made by many of the Hebrew families of influence, on account of his age, to have that portion of his sentence of transportation beyond the seas commuted, but the fact, not only of his perfect privity to the robbery, but his former plannings with Moss and his son about robberies which the confidential situation of the latter in the service of Mr. Hartley, would enable them to accomplish, was found to be of so glaring a character, that it was impossible the government could do less than

transport him. The family of Money Moses were most anxious to get out to Sydney with him, and a proposition had been made to the proper authorities to allow them to do so—Moses, at the same time, offering to pay their, as well as his own, expense out there, and promising never to come back, provided he was allowed his liberty on getting there. This proposition was also refused, and the convicts, as above stated, were sent out in the usual way, in the same transport that took out the Custom-house robbers. Moss, who it will be recollected had taken so large a share in the gold-dust robbery, and who actually carried away the boxes containing the gold-dust from the wharf, and his family are gone to America.

Mr. Hartley, from the manner in which he acted in bringing the parties to justice, is a loser to the enormous amount of 2,900*l.*

23. Singular Thefts by a Lady.—On Thursday last, a lady drove up to one of the most respectable hotels in Glasgow, having just arrived, as she intimated, by one of the coaches from Edinburgh. She asked for a sir John Ferguson, seemed disappointed that he was not at the inn to meet her, and, having taken a bed-room and parlour, remained all night. She made some inquiries in reference to lord Kelburne, to whom, she said, she was about to pay a visit, and on Friday left the hotel and entered one of the Paisley railway omnibuses, with the view, as she stated, of going by railway, information having been given her, she alleged, that that was the best mode of reaching his lordship's residence. Here it is necessary to state, that on Friday morning a gentleman, who slept in the inn, discovered that, during the night, his pocket had been picked of 12*l.*; 7*l.* of which were in notes, and 5*l.* in sovereigns. The notes had been wrapped up in a 20*l.* note; but, as the latter had a mark upon it which might have led to detection, it was left behind by the thief, and, in the place of the five sovereigns, some silver was substituted. In a room on the flat above, another gentleman had a 5*l.* bank of England note taken from his pocket, and three sovereigns from a purse, into which, in lieu of the sovereigns, 3*s.* had been dropped. These mysterious thefts created "quite a sensation" in the hotel; no one dreamed of blaming a lady who expected a visit from sir John Ferguson, and was on terms of intimacy with my lord Kelburne—the gentlemen who slept in the inn could not for a moment be supposed guilty of theft—and, as we believe is very usual under similar circumstances, suspicion began to be directed towards one or other of the servants. Towards the evening, information of the thefts was left at the police-office, and captain Miller made a personal investigation into the matter. Having ascertained that a lady had slept in the inn, and finding from inquiry that this very lady, who was supposed to be on a visit to lord Kelburne's, had taken up her residence at another respectable inn in the city, he began to see his way somewhat clearly in the affair. He ascertained that the lady had gone to the second hotel about two hours after she left the first one, so that it was rendered doubtful whether she had gone by the railway at all, as she had stated to be her intention, and at all events,

certain that she had not paid a visit to lord Kelburne. At the second hotel she had also ordered a parlour and bed-room, and intimated her intention of remaining over the night. She sent one of the waiters to take an inside seat in the six o'clock morning coach to Edinburgh, and directed a noddy to be in waiting to convey her to the coach at the proper hour on Saturday morning. Having ascertained these particulars, captain Miller adopted two precautionary measures to secure the detection and apprehension of the lady, should she turn out to be the thief. He wrote to the Edinburgh police, intimating that a female might probably arrive in that city by the six o'clock coach, strongly suspected of theft, and requesting them to pay her a little attention. His next precaution was to place one of his officers in a bed-room adjoining that of the lady with injunctions to watch her motions; and here begins a part of our story, which cannot fail to excite the amusement of our readers. About 11 o'clock at night, the police officer went to bed, accompanied by one of the innkeeper's sons, both having received strict injunctions from the superintendent not to sleep, nor to speak, but wakefully to be on their guard, ready to detect the lady in the adjoining bed-room, should she, during the night, intrude for the purpose of inquiring too curiously into the contents of their pockets. The watchers obeyed most religiously these instructions till about half-past three or four in the morning, when, wearied with their long vigils, they both fell into a profound sleep. At half-past five o'clock they awoke, the lady was half an hour gone; and, on the policeman drawing on his unmentionables, he discovered, to his astonishment and mortification, that while he slept, he had been robbed of 2*l*. The innkeeper's son, on dipping into his pockets, made a similar discovery; he had been robbed of all the money they contained, which, fortunately, was only a few shillings. In another room a gentleman had had 7*l*. in notes abstracted from his pocket-book, and their place supplied by a number of small papers, accounts, and the like, which had been taken from one of his pockets; some loose silver had likewise been stolen from the table of another bed-room, on which, however, a gold watch was allowed to remain untouched. The female who has been already so often referred to, left the hotel shortly before six in a noddy, having previously partaken of a glass of wine, and at six precisely left town by the Edinburgh coach. The police-officer thus awoke just half an hour too late to find the lady, while his misbehaviour had entirely defeated the admirable scheme of the superintendent for detecting the thief. As soon as practicable the female was followed to Edinburgh; but it appears, that though the Edinburgh police, in terms of captain Miller's letter, were waiting for the coach by which she arrived, she escaped their hands, their suspicion having fallen upon another passenger; and, so far as we have heard, she has not yet been apprehended.

A later account gives the following intelligence:—

The lady who forms the subject of the above narrative, it was feared, had totally eluded the well-directed efforts of the Glasgow and

Edinburgh police, but from a communication received by captain Miller yesterday (Monday), it appeared that a female calling herself Jane Patrisci, or Harris, and answering the description given to the officers, was apprehended in a lodging-house at Edinburgh, about two o'clock that morning, with about 50*l.* in notes and sovereigns in her possession. The glasgow officer, though he somewhat bungled the business by falling asleep along with the innkeeper's son, who undertook to keep watch in the same recumbent posture, had the precaution to mark the money which he put into his pocket as a bait to the thief, and his quondam bed-fellow did the same. This turns out a most fortunate matter, for among the money found in the possession of Jane Patrisci, or Harris, were the identical notes, and the shilling and sixpence which were marked. The arrival of the prisoner is expected to-day, when she will be examined. She is said to be a woman about 30 years of age, of exquisite manners, and lady-like appearance.

25. Concussion between two Havre Steam Vessels.—Great excitement has been created on the river and in the city, by the intelligence that the splendid steam ship Phenix had been run down by the Britannia steamer, and on the arrival of the latter vessel off the Custom-house at one o'clock, with the passengers and crew of the former vessel, the rumour was fully confirmed. The following account of the accident has appeared in the papers.

The Britannia, commanded by captain J. Stranack, is a large and powerful steam-ship, belonging to the General Steam Navigation Company. The Phenix, commanded by captain Lefort, a Frenchman, is the property of a French company, and was manned by a crew of Englishmen and foreigners. Both vessels traded regularly between Havre and London. The Britannia left Havre for London at seven o'clock on Saturday evening, and the Phenix got under way from the Tower-stairs soon after nine o'clock on Sunday morning. The two vessels met at sea, nearly off Dungeness point, about eight o'clock on Saturday night. The Britannia was keeping her course, and she saw the Phenix approach and alter her helm. The Britannia at the same time altered her helm for the purpose of going clear of the Phenix, which however still kept coming down upon the Britannia. As soon as the Britannia saw there was no possibility of avoiding the Phenix, the engines were stopped and the order given to back astern, but before the latter operation could be effected the collision took place, the Britannia striking the Phenix just before the paddle-box on the starboard side, the weakest point of a steam-vessel, and cut her down to the water's edge. The Phenix immediately began to fill, and the boats of both vessels were lowered and saved the whole of the passengers and crew of the Phenix, who were taken on board the Britannia, where they were treated with every kindness and brought to London. The Phenix went down in 35 fathom water before the boats reached the Britannia, and was irrecoverably lost. Among the cargo were 250 casks of tallow, 15 tons of block tin, bale goods, and other property, worth at least 15,000*l.*, which is now buried in the ocean.

— Fatal Accident on the Great Western Railway.—A fatal accident occurred on the Great Western Railway on Sunday morning, at the Faringdon station, sixty-three miles from Paddington. A train, which consisted of the engine and tender, a passenger's truck, and some luggage-trucks, arrived at the station on its way down, about five o'clock. It was observed that the pace of the train was not slackened as it approached the station; but it went swiftly past, and dashed against the engine-house. The engine-man and guard were killed on the spot, and four passengers in the truck were more or less injured. The stoker escaped with a few bruises. An inquest was held on the bodies on Monday; when it was shown in evidence that the train had gone very steadily, and that the engine-man was attentive to his business within a few moments of the accident. The stoker said, the engine-driver was perfectly sober.

When within one mile and a half of Faringdon-road, the deceased told him to put more coke on the fire, which he did; and afterwards directed him to screen the small coke, to be ready to make up the fire again in order to return for the six o'clock train from Reading. This was the last occasion on which the engine-man spoke to him. He saw him afterwards put on the feed to the boiler. He was then standing at his usual place on the footboard, apparently attending to the engine according to custom. On a sudden, he observed that the engine had run by the station, when it came to the turn-table. He called to the engine-man, and jumped to the break on the tender; and in a minute a violent blow was felt, which threw him off the tender on to the South line. He was quite sure that there was nothing the matter with the engine. When he called the engine-man, he received no answer; nor did he shut off the steam. The sole cause of the accident, in his opinion, was from the deceased engine-man omitting to shut off the steam. He was well acquainted with the station, having worked the goods-train there for some months. The engine-man knew his business. He only went two journies without rest. Worked one night, and then went to bed by day. Did not observe him to be sleepy on the journey down.

Mr. Brunell, the engineer of the road, was at the station when the train came in, and observed all the signals to be right. He was astonished to find the engine-driver had not turned off the steam, and immediately foresaw the consequence. The speed of the train at the time was fifteen miles an hour; which is the regular speed of goods-trains on that line.

There seemed to be no doubt that the accident was solely owing to the engine-man. The inference seems to be, that he was taken suddenly ill. The jury returned a verdict of "Accidental death," acquitting the Great Western Company of all blame.

27. Dreadful Cases of Hydrophobia.—A painful and extensive interest has been excited at Kirkaldy (N. B.) in the fate of two fine children, a boy and girl, respectively six and two years, belonging to John Young, blacksmith, Carronbrae, near Airdrie, who had just come to reside with their grandfather for the benefit of sea-bathing, under the fearful

apprehension occasioned by the bite of a mad dog. Early on a Sunday morning, about seven weeks ago, while their parents were yet in bed, these little children, in their night gowns, were engaged in their joyous morning gambols, when a strange dog, of the colly or shepherd species, suddenly darted into the house and lacerated them severely about the temples and eyes. It was the work of a moment; the father could just catch a glance of the furious creature. The wounds bled profusely, and an elder brother was immediately despatched for surgical aid. On his way, he observed the animal in the act of worrying a stone, and then running off madly under the impulse of its frightful malady. A man who had been bitten by the dog having some knowledge of the symptoms of canine madness, said to the boy that they would soon know whether he were in that state or not, for if he were he would not growl when he was struck; and, advancing up to him, he hit him once and again. The dog remained quiet and motionless, and, letting the piece of timber drop from his hand, the man exclaimed, "I am a gone man." Happily the boy succeeded in despatching the animal on the spot. The children were under surgical treatment in little more than half an hour. The wounds were sponged, and continued to bleed copiously, and portions of the flesh were removed. The parts were then deeply cauterized, and poultices applied for upwards of eight days, which ultimately showed that the operation had reached the very bone, and inspired a pleasing confidence that every particle of the malignant virus had been carried away. The children were placed under suitable regimen, both medical and dietetic, and, as a further precaution, they were brought here for the purpose already mentioned, until the time should expire which is understood in such cases to indicate safety. All continued well until Wednesday last week, when the boy became feverish and fretful, and desired to be put to bed, where he lay in a restless and agitated state only a short time. Complaining of his head, his mother was in the act of applying a cloth saturated with vinegar, when he uttered one of those frightful yells so characteristic of the malady. Throughout that day he was under great depression of spirits, so weak that he could not walk, and powerfully excited when any liquor was presented to him. The disease progressed with extraordinary speed, fits succeeding each other at brief intervals, in which he exhibited unusual strength, and appeared to narrowly escape suffocation. His sufferings terminated early on Thursday evening. The little sister took ill on Friday, passed through a similar ordeal, only somewhat more protracted, and died on Sabbath night. A *post mortem* examination followed, in presence of an unusually large number of the profession. The larynx was much smaller, the papillæ towards the root of the tongue were unusually large, and the brain presented an extraordinary influx of blood, similar to what we should expect in a case of strangulation. The circumstances that most forcibly impressed the spectator in this most singular malady were, the rolling of the eyes, and their wild and keen glance, which made it pain-

ful to meet them—the excitement of the whole frame, which seemed instinct with life and energy—the sensibility manifested when you sought to approach—the violence of the convulsions—the relief that seemed to ensue after the emission of a little frothy saliva, which coming into contact with the affected part of the throat probably occasioned the most violent of the paroxysms—the unearthly glance and cry previous to a convulsion, resembling the quickly retiring shrill, and hopeless screech under a sudden and coming catastrophe, just too as if the mind saw something which you did not see—and the well known aversion to water and air. The boy partook of any liquid presented. He burned from thirst, but he never could swallow.

NOVEMBER.

1. Wreck of the Royal George.—Colonel Pasley's operations at Spithead have lately been brought to an end. Amongst the fragments got up are several stancheons of the orlop deck, a complete floor timber (the only piece that had not been broken by some of the numerous explosions), and a very substantial half timber of the same description; also some carlins and parts of beams. The whole of the wreck got up within the last three weeks was piled in front of the lead-house, in the dock-yard. On Monday, the Success frigate hulk and the two mooring lighters or lumps, Nos. 4 and 5, were towed into harbour by the Echo steamer, and the pensioner seamen were paid off the same day, whilst the Portsmouth riggers returned to their duty in the dock-yard. On Tuesday afternoon the stores supplied from Portsmouth yard having been landed, and the remainder put on board the Lightning navy steamer, commanded by lieutenant Waugh, colonel Pasley, with all the royal sappers and miners, the divers and their assistants, and the Chatham riggers, who had been employed at Spithead, embarked in the same vessel, and were landed in Chatham yard, next day, about two o'clock, p. m. Thus his operations have closed for the present season, but not with so much success as the colonel had anticipated, for he had sanguine hopes of clearing away the whole of the wreck before the beginning of November. This has not been accomplished, for the shoal of mud noticed in one of our former numbers, in which the remains of the wreck, and guns to the value of nearly 4,000*l.* are still buried, has been ascertained to be about 150 feet from east to west (this having been the direction of the ship's length), and from 120 to 125 feet in breadth from north to south; its extreme height above the general level of the anchorage is nine feet six inches, but its average height is much less and it slopes away gradually on all sides. These dimensions are according to the soundings taken by serjeant-major Jenkin Jones, of the royal sappers and miners, and Mr. Clewitt, leading rigger in Portsmouth-yard, on the 23d inst., in colonel Pasley's presence; and they suffice to prove, that at least one half of the mass of mud covering the wreck has been washed away since lieutenant Symonds and Mr. Clewitt sounded over it on the 8th of August last, when it measured

200 feet from east to west, and, on one part, nearly 300 feet from north to south, its extreme height being fourteen feet. Thus the half-anchor creeper, substituted for the rake, by partially raising the timbers which it gets hold of, and enabling the diver to sling, and the workmen to weigh them, disturbs the mud, and gives greater effect to the continual action of the tides, which washes it away. Last year when colonel Pasley commenced his operations, several parts of the wreck stood thirty-three feet above the level of the anchorage, for the stem was perfect above the level of the lower deck, as well as the stern, and the whole starboard side was standing to nearly the same level, the larboard side having fallen over; whilst the fragments of the upper decks, consisting of massy beams, &c., whose fastenings have been eaten away by the worms, lay in a confused mass over all. Colonel Pasley, on breaking up his establishment for the season, expressed his extreme satisfaction with all the men employed, whether divers and their assistants, riggers, sappers and miners, or seamen; and he has expressed himself particularly pleased with the zeal and efficiency of the pensioners, nearly forty of whom have worked under him during the whole of this season, and has declared that he will be happy to receive any of them next year, if not better employed. Many officers are of opinion, that men of war may anchor over the wreck of the Royal George, in its present state, with safety, because none but broken fragments of large timbers or light pieces have been found lately, which have not consistency enough to carry away a ship's anchor, or break a chain cable; but the natural action of the tides, by washing away the mud which now covers them, will lay the remaining floor timbers and guns bare, which will be an impediment hereafter, so that the anchorage can scarcely be considered in a safe or satisfactory state, until the whole of the present shoal of mud, and all the remains buried under it shall be reduced to the level of the bottom around it. When this shall have been accomplished, the tides will have no tendency to effect any further change; and if any fragments should still remain below that level, they may be disregarded, if small, or broken to pieces by new explosions in the course of next summer, if large. The necessity of such very great explosions as have repeatedly taken place hitherto is not, however, anticipated for the future.

2. Validity of Lay Baptism contested.—In the Arches Court, the rev. Mr. Escott, the vicar of Gedney, put in a responsive allegation to a suit which had been instituted against him for having refused to bury the corpse of a child that had been baptized by a lay preacher of the Wesleyan Methodists. The responsive allegation stated, that as the child had not been baptised by an ordained preacher, the baptism was null and void; that baptisms by laymen had been repudiated by the Church from the time of the conferences at Hampton Court, in 1600, to the present time; and in the eleventh article it was pleaded, that even according to the doctrines of the sect as laid down by John Wesley, their founder, preachers or teachers were not authorised to administer the holy sacraments. Sir Herbert

Jenner admitted the allegation, with the exception of the eleventh article, in which the principles of Methodism were laid down, and which would necessarily introduce into the cause matter entirely extraneous. The great question in which the case would turn was as to the validity of lay baptisms.

5. Infamous conduct of a Mother.—Town-hall, Southwark.—The rev. W. Curling, of St. Saviour's, accompanied by Mr. Mullender, the secretary of the South London Institution for the protection and reformation of females, and for the suppression and prevention of vice, waited upon Sir John Cowan, the sitting magistrate, for the purpose of explaining a statement respecting the application of a female of the name of Webb, who asserted that her daughter had been decoyed away by some persons who were in the habit of distributing religious tracts.

Sir J. Cowan, upon being made acquainted with the case, desired the female to be sent for. Upon her arrival she was closely examined by him, and was obliged to allow, that her child had ran away from her house, which was a common brothel, in order that she might escape that ruin which would have befallen her, by remaining in it. She now said, she did not want her daughter to come home again, but only wished to know whether she was in a place of safety or not.

The rev. Mr. Curling then stated, that he had reason to know, from very good evidence, that this woman, who had exhibited so much sympathy and compassion for her daughter, had, for the last two or three years, kept a house of ill-fame, of the most infamous description. That from this scene of iniquity the poor girl had escaped, having been induced to do so by some highly respectable persons, who, upon Sundays, were in the habit of going to such places and distributing tracts, some of which were left at the house of this woman. The girl was soon after admitted into the institution with which he was connected, and now wished to remain under its protection.

The daughter, Mary Webb, was then called in, and on examination corroborated the truth of Mr. Curling's statement. She also stated, that her mother had at one time turned her out of doors for a whole night, and at another had kept her without food for twenty-seven hours, because she would not consent to support herself by the life of sin, to which her mother was continually urging her.

The whole case having been thus laid before the magistrate, he recommended the poor girl again to the care of the institution, and dismissed the mother's complaint, with severe comments on her infamous conduct towards her daughter.

10. Vice-Chancellor's Court. —Duke of Leeds *v.* Earl Amherst.—In this case Mr. K. Bruce showed cause against dissolving the common injunction, restraining an action at law, brought by the executors of the late duke of Leeds, against the present duke, for the recovery of a family picture of the celebrated duke of Schomberg, who was slain at the battle of the Boyne, which it was alleged the present duke illegally detained at Hornby Castle. It appeared, that the late duke of Leeds made a specific bequest by his will of "the portraits" of him-

self, his grandfather and grandmother, the lord and lady Holderness, his mother and the duke of Schomberg, to his trustees and executors, earl Amherst, lord Chichester, lord James Townshend, Mr. Alderson, and Mr. Sackville Lane Fox, in trust for the use of his son-in-law, Mr. Sackville Lane Fox, for life, and afterwards to his children, as heirlooms, and by a subsequent codicil directed, that after the dowager duchess had made such selection from the furniture in Hornby Castle, as might be necessary to furnish her establishment, the rest of the furniture should, if necessary, be sold for the payment of debts, and that in making such disposition, the executors should offer them to his son, lord Carmarthen (the present duke), at a reduction of twenty per cent. upon the valuation put upon them. The portraits of the late duke and his mother, and lord and lady Holderness, and another small portrait, which the present duke believed to be the portrait mentioned in the will as the portrait of the duke of Schomberg, were delivered to the executors. The executors, however, contended that this was not the portrait intended by the will, but that the late duke referred to a large picture, nearly twenty feet high, which gave a full-length equestrian representation of the duke of Schomberg, and contained also a variety of other smaller figures, and a distant view of the battle of the Boyne. Mr. L. Fox having therefore laid claim to this picture, and the present duke insisting, that he was entitled to it, the executors had commenced an action at law to obtain the possession. As they had not assented to the bequest, the legal estate was still in them, and there was nothing to prevent their obtaining a verdict at law, but this verdict would only effect a change of custody without determining any question between the conflicting claimants. As the question must at the same time be decided, and as the present action would decide nothing, it was submitted the injunction ought to be continued to restrain the action.

It was urged on the other hand, by counsel for the executors, that nothing would be gained by staving off the question. It was admitted it must be tried in some form, and the only point was, whether the bequest was not in terms so plain as not to admit of a doubt. The learned counsel further contended, that the plural number being employed in the will, any number of portraits of either or of all the persons mentioned would pass. It was discovered from a catalogue in the castle, that the portrait sent was not one of the duke of Schomberg, but of his brother, and therefore there could be no doubt but the equestrian portrait was the only one that could have been meant. If, however, there were two, Mr. Fox was entitled to both; and it could not be said, that an equestrian portrait was not a portrait because the artist had placed a few diminished figures in the back ground, or a distant representation of a battle scene, in which the subject fell.

The vice-chancellor said, the question was, whether the action would decide anything. As it was at present framed, one of the parties interested (Mr. Fox) was a co-plaintiff, and as such would be a judge in his own cause. It

was said there was no question to be tried, and the court ought at once to dispose of the question; but his honour thought, that as the whole matter appeared before him merely upon the information and belief of the executors as to what the testator meant, there was not enough for him to ground a decision upon. He was, moreover, called upon to say whether an equestrian picture was a portrait or not, and it might happen, as it did in a late case, in which he had held, that the term "first cousins" would include first cousins of all descriptions, and the lord chancellor decided, that first cousins once removed were not included, that his lordship might declare the decision in this case to be wrong, he therefore thought the injunction ought to be continued to restrain the action at law.

— Extraordinary scene at Richmond, Surrey.—The town of Richmond was lately the scene of a most singular occurrence, the circumstances of which appear for the most part to be as follows. On Friday, a handsome equipage, drawn by two horses, drew up in front of West Hall, the residence of Mr. Alexander Stuart M'Kenzie, and known formerly as the Old Palace. The family mansion being left in the care of servants during the absence of Mr. M'Kenzie from this country, immediate admission was given to the parties occupying the carriage, and a scene of indescribable confusion followed. A lady, approaching the middle age, accompanied by two gentlemen, demanded possession of the house, upon the ground that she was heiress to the property; and upon meeting with a repulse from M'Culloch, one of Mr. M'Kenzie's servants, she proceeded to give directions to remove a turf in the garden, and formally took possession of the estate. The necessary forms were gone through, the lady herself taking possession of the keys of West Hall; and so determined did she appear to be upon becoming mistress of the estate, that the servants found it necessary to send for the assistance of the police. A number of constables were soon on the spot, and it then transpired that the lady's name was Mrs. Hannah Maria Nelson, that she resided at Knightsbridge, and having lately lost a near and, as it is rumoured, wealthy relative, she had determined upon the novel course of taking possession of what she considered to be her property *vi et armis*, rather than submit to the procrastination of the Court of Chancery. She was conducted with as much delicacy as the law would admit to the station-house, and there she was charged by M'Culloch with stealing the two door keys; but, after some delay, the acting inspector allowed her to go at large, upon Mr. Joslyn, of High-street, Shadwell, a friend who accompanied her, becoming answerable for her appearance next morning. It appears that the lady had several male adherents, and after being liberated upon bail, she retired with them to the Talbot Inn, where they dined. The following morning (Saturday) Mrs. Nelson was examined on a charge of felony before Mr. Penryn, a county magistrate, at the vestry-rooms, Richmond; and the evidence of the taking of the keys having been adduced, the magistrate was spared the necessity of adjudicating upon the case by Mr. Price, the solicitor for Mr. M'Kenzie, accepting a

promise from the lady, that she would not attempt to take possession of the premises again, unless sanctioned by law so to do. Mrs. Nelson, in the course of the inquiry, alleged some serious charges against parties of high rank, and stated that she would in less than a week fortify herself with the authority of the Court of Queen's Bench. The pledge of non-intrusion, however, was given, and the lady was discharged. A sheriff's officer, it is said, assisted in taking possession of West Hall, but he did not appear before the magistrate. It seems that the affair has created a singular and unusual excitement among the inhabitants of Richmond, many of whom do not hesitate to recognise and warmly espouse the justice of Mrs. Nelson's claim.

11. CAMBRIDGE UNIVERSITY HIGH STEWARDSHIP.—This being the first day appointed for taking the poll, the doors of the Senate-house were thrown open at nine o'clock. From a much earlier hour numerous carriages and coaches continued to arrive with the supporters of each candidate, and amid all the bustle usually attendant on a contested election, it was interesting to observe, as the time of polling approached, the vast concourse of members of the senate in their academic costume congregated from all parts of the country, many of whom, from their years, had evidently long left the University.

The senate-house, where the polling took place, was divided by a barrier across the centre. At the upper end was placed a table, at which the vice-chancellor sat in his chair of office, supported on the right by his assessor, and on the left by two scrutineers, attending for each candidate. In the lower end were two tables, at which the electors received cards containing printed the name of the candidate for whom they intended to vote, with which, having added their signature, degree, and the college to which they belong, they proceeded to the vice chancellor, who read it aloud, and if no objection were made, the vote was recorded by the scrutineers:—"*A. B., M. A., e Collegio S. Trinitatis, eligit Honoratissimum Dominum Joannem Singleton, Baronem Lyndhurst, in Summum Senescallum hujus Academiæ.*" Or, "*A.B., M.A, e Collegio S. Trinitatis, eligit Honoratissimum Dominum Georgium Gulielmum, Baronem Lyttleton, in Summum Senescallum hujus Academiæ.*"

The under-graduates occupied the gallery, which is over the vice-chancellor's seat and stretches along both sides of the senate-house. They were almost without exception warm partisans of lord Lyndhurst, who arrived in Cambridge a few minutes before three o'clock, and immediately proceeded to the senate-house, where he was received by them with cheers, that lasted for several minutes, and were renewed at intervals whilst his lordship remained.

The poll remained open till a quarter-past four, when the following statement was issued:—

For lord Lyndhurst . . .	420
For lord Lyttleton . . .	292
Majority for lord Lyndhurst	128

It re-opened the next day, and at its close the numbers were,

Lord Lyndhurst	923

Lord Lyttleton 457

Gross majority for Lord Lyndhurst 466

On the third day, at ten A. M., the poll finally closed, when the numbers were declared to be as follows:—

Lord Lyndhurst 973
Lord Lytttleton 487

Majority for lord Lyndhurst . 486

The proceedings then ended.

17. Violent Storm.—A violent hurricane, accompanied with heavy showers of rain, set in on Tuesday evening, in London, soon after five o'clock, and occasioned considerable mischief on the river, both above and below bridge, accompanied with the loss of several lives. About seven o'clock it was at its height, and ceased before twelve, but during its continuance the wind blew in gusts and squalls, unrooffing houses, blowing down trees in the parks and suburbs of the metropolis, where several small tenements were demolished and other damage done to a great extent. On the river the loss of property was very great, and yesterday morning the water was covered with deals, sticks of timber, broken wherries, barges, and other craft, which had gone adrift during the preceding night. The Thames police recovered several lighters in a sinking state, and towed them in-shore. During the hurricane the greatest excitement and alarm prevailed in the pool, in consequence of the Millhole tier of colliers and other vessels having gone adrift in consequence of the outer arm of the moorings breaking. The tier drifted against another tier of shipping, which also broke loose from their moorings. A fearful scene ensued, and the wind and current drove the vessels against each other with great violence. To avoid collisions with the drifting ships, others got under weigh, and a few ran ashore out of harm's way until the rising of the tide floated them off. Twenty or thirty vessels were more or less damaged. Some lost their foretopmasts, and others their maintopmasts; one vessel carried away her bowsprit and mainmast, which came down with a tremendous crash; another had her stern knocked in, and two their quarter galleries stove in. So much damage among the shipping in the pool has not been known for several years. A seaman was brought ashore at Ratcliffe during the storm with his arm broken, caused by the falling of some spars.

Soon after the storm had abated a boat was found, bottom upwards, in the river, near Greenwich, and under one of the thwarts was a boy, who appeared to have been dead several hours.

The next morning, at one o'clock, a ship's boat was picked up by a Thames police constable named Yeoman, in Lime-house-reach. The boat was broken to pieces, and her stern and keel gone. A schooner called the Eliza, deeply laden with stone, coming up the river, met with a brig driving up with her anchor over the bow, the fluke of which pricked the schooner, and made a hole in her. Two pumps on board were immediately got to work, but she would have inevitably gone down but for the assistance of a Thames police inspector, and his boat's crew, who got the vessel near shore, where she was kept afloat by means of her own

pumps and four others engaged by the Thames police, until the tide receded, when the leak was stopped, and she was afterwards removed to her proper berth.

A collision also took place between the Comet, Gravesend steamer, and the Friends, a fishing-smack, soon after the commencement of the hurricane. The Comet was on her way down the river, and in Woolwich-reach met the fishing-smack beating up with the tide, and, from the severity of the gale, almost unmanageable. The two vessels came in violent contact with each other; the Comet struck the Friends a violent blow, and she immediately began to fill. The crew ran her ashore, and when the tide receded she was left high and dry aground, and the leak having been stopped, the Friends was brought up to Greenwich yesterday afternoon.

Upwards of 100 watermen's boats were stove in or broken to pieces during the storm between London-bridge and Greenwich, and the owners were by this unfortunate visitation deprived of the means of subsistence.

The river presented the appearance of a rough sea for several hours; the spray dashed over the wharfs and vessels, and for more than four hours the communication between the Middlesex and Surrey shores was almost totally suspended below bridge.

The effects of the storm were severely felt above bridge, and between Hungerford-market and London-bridge no less than eighteen barges laden with coals and other cargoes were sunk. Between the hours of ten and eleven o'clock, a sailing barge laden with a general cargo, and moored at anchor off the Red-house, Battersea, was overturned, and went down in five fathoms of water. The bargemen narrowly escaped with their lives. About the same time a sailing barge laden with bricks was capsized by the hurricane off Battersea church, and a man in the cabin perished.

Soon after high water a barge laden with deals, piled eight or nine feet above the deck, was driven by the force of the wind and current against the pier of the second arch on the north-west side of Blackfriars-bridge, where it remained fast, with the tide beating over it, and continually washing the deals away until the tide began to flow again, when the barge slewed round, was driven against the arch, and capsized.

Several steamers which should have arrived in the ordinary course last evening had not come in, while others were ten and twelve hours behind their time. Some picked up many dismasted ships at sea.

This storm has also caused many shipwrecks and loss of life on the coast, and, indeed, has done extensive mischief in all parts of the country.

17. Court of Queen's Bench. —Sir Frederick Pollock applied for a rule calling upon the directors of the Grand Junction Railway to show cause why a writ of mandamus should not issue, commanding them to comply with the provisions of the Act of Parliament 3 Victoria, c. 49, sec. 26, which enacts, "that the charges by the said acts authorized to be made for the carriage of goods, passengers, &c. to be conveyed by the said company, shall be at all times charged equally and after the same rate per mile, or per ton

per mile, in respect of all passengers and goods on carriages of a like description conveyed or propelled by a like carriage or engine, passing on the same portion of the line only, and under the same circumstances; and no reduction or advance in any charge for conveyance by the said company, or for the use of any locomotive power to be supplied by them, shall be made, either directly or indirectly, in favour of or against any particular company or person travelling upon or using the same portion of the said railway under the circumstances as aforesaid." The object of the application was stated to be to try the question whether the directors of the Grand Junction Railway Company had a right by any arrangement which they might privately enter into to contravene the act of Parliament, and in substance to exclude Messrs. Pickford and Co., the carriers, from carrying on their business. Sir Frederick Pollock said, it would appear from the affidavits on which he founded his motion, that the directors of the Grand Junction Railway Company had openly avowed, "that their object was to drive all carriers from the railway; that the company were carriers themselves, and no other carriers were wanted." Every Railway act contained a clause apparently compelling the directors to permit any persons to have their own locomotive engines, carriages, &c. placed on the railroad if they thought proper; but as locomotive engines must stop somewhere to obtain a fresh supply of water, coals, &c., and as the clauses in the Railway acts contained no provision for compelling the directors to supply coals, water, &c. on the line, they were a perfect dead letter. The directors of the Grand Junction Railway allowed the gratuitous use of a certain portion of their line to Messrs. Horne and Chaplin, the carriers; but refused to allow Messrs. Pickford and Co. to send goods by that line, unless they paid a certain sum of money, which amounted to an additional expense of about 5*l.* per day. The object of the railroad companies in acting in this manner to one of the principal carriers in the country, was stated by sir F. Pollock to be the monopoly of the conveyance of goods as well as of passengers.—The court granted a rule to show cause.

18. Suit for Divorce—Lockwood *v.* Lockwood.—In the Arches court, sir H. Jenner pronounced judgment in the case of Lockwood *versus* Lockwood—a suit by lady Julia Lockwood against her husband for divorce, on the ground of cruelty. The cause was originally brought in the Consistory court, where Dr. Lushington pronounced a sentence of divorce. From that decision the husband appealed. Sir H. Jenner stated the particulars of the case. He said the court considered that Mr. Lockwood's conduct to his wife on several occasions amounted to legal cruelty. Such was his behaviour towards lady Julia at lady Aldborough's, in dragging her up stairs, which no levity on her part or suspicions on his could possibly justify. In 1834 another act of cruelty was committed at Paris: it was alleged that, having agreed to have separate rooms, Mr. Lockwood had entered into lady Julia's chamber, and there kicked and ill-used her: there was no direct proof of the extent of violence, but the evidence was sufficient, under

the circumstances, to establish legal cruelty. At Versailles it was alleged he ran after lady Julia with a stick, and threatened to run it down her throat; which so frightened her that she jumped out of window; and being reproached for such conduct, he replied that he "would drag her out of the room by the scruff of her neck." At this time, at any rate, there was no imputation on her character—nothing in her behaviour to justify, or even to extenuate such harshness and cruelty. Articles of separation were shortly after this drawn up between the parties, and a hope was entertained by their friends that their disputes and disagreements would have been settled without referring to a legal process. These negotiations, however, failed; and Mr. Lockwood subsequently took forcible possession of lady Julia's residence at Tunbridge Wells, and compelled her to seek the protection of the law. The letters found in the possession of lady Julia, written by a certain gentleman, though not leading to the necessary conclusion of an improper familiarity, ought to have received a fuller and more satisfactory explanation. They could not, however, have had any effect upon the conduct of Mr. Lockwood, as they were not discovered by him until after such conduct had been adopted. On the whole, the court thought the decision of the court below was a sound one. Sir H. Jenner accordingly affirmed the decision of the inferior court, and condemned Mr. Lockwood in the costs.

20. Narrow Escape of Wordsworth the Poet.—As Mr. William Wordsworth, the celebrated poet, in company with his son, the rev. John Wordsworth, were on their way home to Rydal Mount, from a visit to the earl of Lonsdale, at Whitehaven Castle, they had a narrow escape from destruction. They were riding in a one-horse gig, and had just reached Ruffa bridge, about three miles from Keswick, on the Ambleside-road, when they observed the mail coach coming upon them at a rattling pace. Owing to the sharp turn in the road at the top of the ascent which leads down to the bridge, the mail could not be seen until within seventy or eighty yards of that dangerous place, but in the few moments' notice they had of its approach, the rev. gentleman succeeded in drawing his horse close up to the side of the road, which is only narrow, but nevertheless wide enough for the coach to have passed in safety, under ordinary circumstances. It unfortunately happened, however, that the off-wheeler, which we are told is in the habit of holding the bridle bit in his teeth, and resisting the utmost exertions of the driver, was at the moment of meeting indulging in this dangerous practice, and refused to obey the rein. Owing to this circumstance the coach came with great violence against the gig, which it sent against the adjoining wall with such force that both the horse and the gig and the two riders were thrown, with part of the wall, into the adjoining plantation. Fortunately, the traces and shafts of the gig both broke near the body of the vehicle, which set the affrighted animal at liberty, and it no sooner gained its feet than it leaped over the broken wall, and, having regained the road, set off at a frightful pace, with the gig shafts attached to the harness.

It was eventually stopped at the toll-bar entering Grasmere by the owner closing the gate, which he dreaded the animal, notwithstanding his endeavours, would have attempted to leap. Mr. Wordsworth and his son, whose escape, under all the attendant circumstances, was most providential, were both found unhurt, the only visible injury received from this dangerous collision was a slight bruise on the finger of the poet.

21. Birth of the Princess Royal. — The announcement of this important event was published in a London Gazette extraordinary this evening.

"*Buckingham Palace, 21st. November,* 1840.

"This afternoon, at ten minutes before two, the queen was happily delivered of a princess. His royal highness prince Albert, her royal highness the duchess of Kent, several lords of her majesty's most honourable privy council, and the ladies of her majesty's bedchamber, being present.

"This great and important news was immediately made known to the town, by the firing of the Tower guns; and the privy council being assembled as soon as possible thereupon, at the council-chamber, Whitehall, it was ordered, that a form of thanksgiving for the queen's safe delivery of a princess be prepared by his grace the archbishop of Canterbury, to be used in all churches and chapels throughout England and Wales, and the town of Berwick-upon-Tweed, on Sunday the 29th of November, or the Sunday after the respective ministers shall receive the same.

"Her majesty and the young princess are, God be praised, both doing well."

The following is an official record of the circumstances and observances with which the event was ushered in—

"Her majesty was taken unwell at an early hour on Saturday morning, and the medical gentlemen were in consequence summoned to Buckingham palace.

"The duchess of Kent was sent for at half-past eight o'clock, by his royal highness prince Albert. Her royal highness immediately went to the palace, and remained with her majesty throughout the day, until six o'clock in the evening.

"Sir James Clarke left the palace to give the requisite information to viscount Melbourne. The noble viscount and the lord Chancellor arrived at the palace before ten o'clock. Summonses were sent to the principal cabinet ministers and the great officers of state in town; and expresses were forwarded to the marquess of Lansdowne, lord president of the council, at his seat, Bowood park, Wilts, and to the earl of Clarendon, lord privy seal, at Watford.

"Some of the cabinet ministers and great officers of state arrived before twelve o'clock; and between twelve and one o'clock the archbishop of Canterbury and the bishop of London arrived at the palace.

"Her majesty was safely delivered of a princess, at ten minutes before two o'clock, *p. m.* Their royal highnesses prince Albert and the duchess of Kent were in the room at the time; together with sir James Clarke, Dr. Locock, Dr. Ferguson, and Mr. Blagden, the medical attendants on her majesty.

"In an adjoining room, the door being open, were the following councillors: his grace the arch-

bishop of Canterbury, the lord bishop of London, the lord high Chancellor, viscount Melbourne, first lord of the Treasury, the earl of Erroll, lord steward of the household, viscount Palmerston, secretary of state for foreign affairs, lord John Russell, secretary of state for the colonies, and the earl of Albemarle, master of the horse.

"In an ante-room were the countess of Sandwich, lady of the bedchamber in waiting, lord Byron, lord in waiting, colonel the hon. Henry Cavendish (clerk marshal), equerry in waiting, sir Frederick Stovin, groom in waiting, colonel Wylde, equerry to prince Albert, and captain Seymour, groom in waiting on prince Albert.

"The infant princess having been brought into the room where the ministers and great officers of state were assembled, their lordships took their departure from the palace directly afterwards."

It appears that her majesty's principal medical attendants, sir James Clarke and Dr. Charles Locock, were of late constant in their attendance at Windsor castle, and within the last fortnight were most anxious that her majesty should return to Buckingham-palace. This removal was effected on Friday week, when her majesty arrived in town in perfect health and excellent spirits. Almost every day since, up to Thursday last, her majesty used to take an airing in a pony phaeton in the parks, accompanied by prince Albert, and in the evening presided at her usual select dinner-parties. On Friday, her majesty and prince Albert walked in the garden of the palace, and again her majesty took her seat at the dinner-table, and continued apparently in her usual health till eleven o'clock, when she retired to rest, no suspicion being then entertained of the near approach of those sufferings which providentially have terminated in a manner so satisfactory to every branch of her august family, as well as to her loyal and devoted subjects. At two o'clock on the following morning the first symptoms of uneasiness were indicated, and at four o'clock her majesty with great firmness directed that her attendants should be summoned. Her majesty's professional advisers, sir James Clarke, Dr. Locock, Mr. R. Ferguson, and Mr. R. Blagden, were also instantly sent for, and were quickly on the spot. No doubt now existed that her majesty was in labour, although certainly some days sooner than had been anticipated, as the impression was, that she would have remained convalescent till early in December. Such preparations as the suddenness of the emergency would permit, were made without delay; and by command of prince Albert, whose conduct was distinguished by the most affectionate solicitude, combined with firmness, the hon. W. Murray, the comptroller of the household, roused the inmates of the palace, and special messengers were despatched to her royal highness the duchess of Kent, the archbishop of Canterbury, the bishop of London, the lord Chancellor, lord Melbourne, lord Palmerston, lord Erroll, lord Albemarle, lord John Russell, and other privy councillors, whose constitutional duty it was, to be present at the birth of an heir to the throne.

"In the course of about an hour after they had all assembled at the palace, and precisely at ten mi-

nutes before two o'clock, the nurse entered the room where they were met, with an infant princess, wrapped in flannel, in her arms. She was attended by sir James Clarke, who announced the fact of its being a female. Her royal highness was for a moment laid upon the table, for the observation of the assembled authorities, and then returned to her chamber to receive her first attire. His royal highness prince Albert having received the congratulation of all present, conveyed the gratifying intelligence that her majesty was, in all respects, as well as could be expected, and 'the officials' retired to spread the happy news throughout the metropolis, and to prepare to meet in Whitehall, whither the privy council were forthwith summoned to meet at four o'clock, to give the usual directions for announcing to the nation, as well as to foreign states, an event of such deep and gratifying importance. Messengers were immediately despatched to every branch of the royal family in town; and soon after three o'clock, the following bulletin was exhibited at the principal entrance of the palace—

'*Buckingham Palace*, 21*st. Nov.* 1840.

'The queen was safely delivered of a princess this afternoon, at ten minutes before two o'clock. Her majesty and the royal infant are doing well.

'James Clarke, M.D.
'Charles Locock, M.D.
'Robert Ferguson.
'R. Blagden.'"

24. Attempted Fratricide.—Alexander Williams, a young man of a downcast sullen countenance, was brought up in custody and placed at the bar of the Marylebone police-office on the serious charge of having fired at, with intent to kill, his brother, Edwin Williams.

The parties are the sons of the proprietor of the Windsor Castle Tavern, Harrow-road, where they both resided.

A police-constable stated, that, on the previous night, between eleven and twelve o'clock, as he was on duty in the Harrow-road, he heard the report of a gun, and on hastening to the spot whence the sound proceeded, which was the front of the Windsor Castle, he was met by the prosecutor, who, running up to him, said he wished to give his brother (the prisoner) in charge for shooting at him. Witness accordingly took him into custody, and on asking him what he had got to say for conducting himself in such a manner, the only reply he made was, "I wish I had killed the ——." He admitted having thrown the gun away, and on witness searching for it, he found it lying covered with water in a ditch.

The policeman further stated that the prosecutor, notwithstanding he had interfered at his own desire, refused to follow up the case against the prisoner, and in consequence he only took him to the station-house on the charge of being drunk and disorderly. The bullet which was fired from the gun still remained imbedded in one of the parlour shutters.

The brother who was shot at being called on by the magistrate to confirm the truth of this statement, at first declined giving evidence, and only after much hesitation, consented to be sworn. He then reluctantly deposed that on the previous night the prisoner came home somewhat the worse for drink, and some words of an

unpleasant nature occurred between him and his father. He subsequently went into the kitchen for the gun, saying that he was going to call upon a friend of his, a painter, living close by. Prosecutor, knowing the violence of his temper, ran into the parlour in order to avoid him, and directly closed the door, when the prisoner pushed against it and endeavoured to burst in; he, however, was unable at once to accomplish this, and with the view of escaping, if possible, from danger, prosecutor rushed out of the room, and passing him was making his way along the passage towards the front door, when the prisoner, at a distance of not more than four yards from him, discharged the gun, the ball from which passed sideways through the parlour partition, and perforated a hat and a coat which were hanging on a chair in the room on the other side.

He could assign no other reason for his brother's vindictive feeling towards him than this, that he had not exchanged a word with him for nearly two years, on account of his conduct having generally been very bad.

The prosecutor further stated that he did not see the prisoner level the gun at him, and that he really had no wish to proceed farther in this business, but that if the magistrate would consent to deliver his brother up to their uncle, he would get him almost directly on board ship, and send him out of the country, which course would probably have the effect of thoroughly reclaiming him.

The uncle then came forward, and implored, with tears in his eyes, that the prosecutor's wishes might be complied with.

This, however, the magistrate declined to do, and the prisoner having nothing to say in defence of his conduct, was then committed to Newgate for trial.

30. Singular Mode of Arresting a Bandit.—The French journals gives the following curious account of the arrest of Tragine, a bandit, whose exploits have long rendered him formidable in the south of France:—It seems that all hope of arresting was almost at an end, when M. Joulé, the mayor of Larcat, conceived and put in execution a project which evinced equal skill and courage. For several days M. Joulé frequented places of public resort, and spoke of Tragine as a man whose courage had filled him with admiration, observing at the same time, that he had no doubt some mayor could be found who would grant him a passport to cross the frontiers, which it was the wish of the bandit to procure. Soon after this a person called on M. Joulé, and, in the name of Tragine, offered him a bribe of 300f., on condition of his giving the passport, which he had said some mayor would certainly grant if pains were taken to inquire. M. Joulé stipulated for 500f., which was agreed to, and an interview was fixed for the purpose of enabling the mayor to give the necessary description of the person, assigning, of course, another name in the passport. Tragine did not appear at the place of rendezvous, but M. Joulé found there his wife, who had brought 400f., saying it was all he could spare. M. Joulé consented to take it, and an interview was appointed for the next day at a house in the commune. Tragine came, but M. Joulé refused to make out the passport in the house of persons

who might betray him, observing also that he had left the official seal of the mairie at home, and told Tragine that if he would not accompany him to his own house he might take back his money. Tragine hesitated, but at length consented, for, being armed with his carbine, and with small arms in his girdle, he could not suppose that M. Joulé had any expectation of being able to capture him. On arriving at the house of the mayor they entered the room used as an office, and M. Joulé taking his seat at his secretaire in front of Tragine, began to write, Tragine, standing with his carbine in his hand, but appearing to have no suspicion. 'What is your height?' said the mayor; 'put down your carbine and stand upright.' Tragine did as he was desired, and M. Joulé came and stood by him as if to measure his height by his own; then going in front of him, he said, 'What is the colour of your eyes?' Tragine opened his eyes wide, and at this moment M. Joulé, who is a very strong man of thirty-five years of age, sprung upon Tragine, and, holding his arms to prevent his using the weapons which he had in his girdle, called out for assistance, which arrived whilst Tragine and M. Joulé, who had both fallen to the ground, were struggling for the mastery. The bandit was secured, bound with cords, and taken off to prison.

DECEMBER.

1. Church Rates—Decision by the Court of Queen's Bench.—Lord Denman delivered judgment, in the court of Queen's-bench, in the case of Mr. Baines, who has been imprisoned for non-payment of church rates. The defendant, it will be remembered, had allowed judgment in the ecclesiastical court, for non-payment of church-rates, to go against him by default; and he was brought before the court of Queen's-bench under a writ of *habeas corpus*. The objections taken on his part against the original proceedings were chiefly of a technical kind; and they were disallowed by the judges, who ordered that the defendant should be remanded. On one point of objection, which was not of a technical nature, lord Denman observed—

"The second objection was upon a party being in contempt, and condemned in a church-rate and the costs. An objection was strongly urged against this proceeding, it being said that it was against natural justice and against many authorities, that a party should be condemned in contempt for not appearing, and sentenced to the whole effect of what was sought against him. We do not accede to that doctrine; we think it depends entirely upon circumstances whether or not a party may be so proceeded against; because if he has full notice, and has the opportunity of attending when summoned, it is in vain for him to say he has been treated unjustly by reason of the court proceeding in his absence to do what they thought they were bound to do—to sentence him to pay the rate which he had been sued for, and the costs. And, without entering into the particular authorities quoted, there is none which goes the length of saying that there is any thing upon general principles to prevent the court from proceeding in the absence of a person,

when the absence is in consequence of the voluntary conduct of the defendant himself."

Application was made in the Court of Chancery, on Tuesday, in Mr. Baines's case. The decision against him in the court of Queen's-bench, it was observed by Mr. M. D. Hill, who appeared on his behalf, did not prevent the prisoner from applying to every court in Westminster-hall, if he thought proper. The principal point urged by counsel on application for the *habeas* was, that the Court of Arches had proceeded to pronounce judgment against Mr. Baines in his absence. The lord chancellor granted the writ, and ordered the argument on the return to be taken next Tuesday. It is arranged that Mr. Baines shall not be brought from Leicester, as it has been agreed to argue the matter in his absence as if he were present.

— Kingston Petty Sessions—Charge of Poaching.—Mr. Edward Sheffield attended before the bench to answer an information laid against him under the Game Act, charging him with trespassing upon land in the occupation of his royal highness Adolphus Frederick, duke of Cambridge, in pursuit of game, contrary to the statute, &c.

The defendant pleaded "Not guilty."

Arthur Dunford, gamekeeper to his royal highness, deposed that, about four o'clock in the afternoon of the 5th of November, he was in a wood called Coombe Wood, belonging to the duke of Cambridge, when he met the defendant and another person. They had a gun each, and three setters accompanied them. He had heard the report of a gun a short time before, and he had no doubt one of the parties shot it off, but he did not see either of them shoot. He asked the defendant and his companion if they were aware they were trespassing upon his royal highness's land, and they said they were not. He had, however, seen them there before, and he thought they must know it.

The defendant being asked what explanation he had to give upon the subject, replied, that he was not in the wood at all, but was in the path, when the keeper came up. The fact was, he said, that his friend had brought a young dog out to try, and a gun was fired, and the dog ran into the wood, and, fearing they should lose him, his friend went to the side of the wood and whistled him out, and the keeper came up at the same moment. He denied that they were looking for game or that they were in the wood.

The keeper, in answer to questions from the magistrates, explained the position of the defendant, and said he had no doubt that he and his companion were both beating for game in the wood.

This was, however, denied by a friend of the defendant's, who stated that he accompanied him to Wimbledon-common to shoot snipes, and he was quite sure he did not go into the wood.

The bench then consulted together, and the chairman expressed the opinion of the magistrates to be that the offence was proved.

The defendant was in consequence fined 20*s.* and costs.

3. Intrusion of a Boy into the Private Apartments of the Queen.—The precincts of Buckingham-palace have been again

invaded by a boy named Jones, who was two years since apprehended for a similar offence. In the present case, he succeeded in gaining access into the queen's dressing-room; where he was found on Thursday morning, concealed under a sofa, on which the queen had been sitting two hours before. He was discovered by one of the queen's pages. When asked what brought him there, he replied, that he wanted to see what was going forward in the palace, that he might write about it; and if he was discovered he should be as well off as Oxford, who fared better in Bedlam than he did out of it.

The prisoner was examined before the privy council on Thursday; and the council came to the decision, that, as no property or dangerous weapon was found on him, he should be merely committed as a rogue and vagabond for three months.

The prisoner is seventeen years of age, and the son of a tailor. When tried at Westminster sessions for his former intrusion into the palace, he was discharged, as there was no wish to prosecute. He is supposed to be insane. The statement he is reported to have given of the manner in which he obtained access to the palace is this—

"On Monday night he scaled the wall of Buckingham-palace garden, about half-way up Constitution-hill; he then proceeded to the palace, and effected an entrance through one of the windows. He had not, however, been there long, before he considered it unsafe for him to stay, as so many people were moving about; and he left by the same mode as he entered. Next day (Tuesday) about nine o'clock in the evening, he again effected an entrance over the wall on Constitution-hill, and by a window, in the same manner as on the previous night; and he went on to state that he remained in the palace the whole of Tuesday night, the whole day on Wednesday, and up till one o'clock on Thursday morning, when he was discovered."

The prisoner pointed out all the passages and places he had gone through previous to his arrival at the room in which he was discovered and apprehended; and his statement was believed.

"It appears that the sofa under which Jones was found was in the ante-room in which the princess royal, and Mrs. Lilley, her royal highness's nurse, repose. On the night in question, the latter had not long retired to rest ere she fancied she heard a noise similar to that likely to be caused by a person who was endeavouring to prevent his presence from being discovered, and was moving in a stealthy manner. Mrs. Lilley at first treated the matter as of no moment, thinking probably that the noise might have been imaginary. Its renewal, however, created an alarm; and she instantly summoned those of the attendants who were on guard in the adjoining ante-chamber. On their arrival, the offender was quickly discovered and drawn from his place of hiding. The statement then goes on to say, that her majesty, who but three hours previously had been sitting on this particular sofa, having been disturbed by the confusion to which the event had given rise, called out and desired to be informed as to its cause. As an apprehension was, however, entertained that the

sudden communication of the occurrence might be attended with an unfavourable effect on her majesty, the attendants gave an evasive answer. The queen repeated her command, and then the fact of the boy's concealment and subsequent apprehension were made known to her. The circumstance at that time appeared not to produce any very visible effect on her majesty; but on Thursday symptoms of other than a satisfactory character were apparent. A few hours of rest, however, tended to the restoration of her majesty."

4. A Fatal Steam-boat Accident.—This evening, a few minutes after five o'clock, the brig Effort, coal laden, was coming up the river off East Greenwich, when a Gravesend steamer passed them on the north side, going down at full speed. A boat containing three of the Effort's crew, and Joseph Watkins, a Greenwich waterman, were towing the Effort, and the steamer had not long passed them, when they heard the crash of some collision, and the screams of a female. The captain immediately ordered the boat to let go, and proceed to the aid of the sufferers, which they did, but had not proceeded far when they met with a boat cut in halves and a woman clinging to the gun-wale. The steamer had then gone on and was out of sight. There appearing some signs of life in the woman, the seamen took her on board the Effort, and conveyed her into the cabin, where she expired with her head on the shoulder of John Smith, the cook of the vessel. The captain, believing there was still a chance of restoring the woman, manned the ship's boat, and sent on shore for medical aid. This was soon procured, and every means were used to restore animation, but without effect. Soon afterwards the body was taken ashore by inspector Leonard of the Thames police and his boat's crew, and they landed it at Poplar. The Thames police were first unable to ascertain who the woman was, but on the following day a man named John Bradshaw called at the station-house, at Blackwall, and made the following statement:—"He said he was in the employ of Messrs. Flower and West, mud bargeman of the Folly-house, Blackwall, and on Friday afternoon he and two other men, named James Botts, and James Briggs, who are in the same employ, and Botts's wife, went down to Woolwich in a boat belonging to Mr. West, for the purpose of taking some clothes out of pawn. They returned together as far as the Ferry-house opposite Woolwich, where he (Bradshaw) was put ashore, leaving the others in the boat to proceed to Blackwall. The two men were then rowing, and Mrs. Botts was sitting in the stern of the boat. He was of opinion the boat must have been run down four or five minutes after he landed, and recognized the body as that of Ann Botts, and he had no doubt her husband and Briggs were also drowned. This was supposed to be the case, and the Thames police made a report to the commissioners to that effect; but on the arrival of the Vesper steamer from Gravesend on Monday morning, it was ascertained that Briggs was saved, and that he had been picked up by the Vesper's boat. The captain and crew of the Vesper attribute the unfortunate accident to the mismanagement of the men in the boat, who pulled direct towards

the steamer, which had stopped, and was backing astern, when the captain saw that a collision was inevitable; but owing to the alarm of the people in the boat and their jumping up when it came in contact with the bows of the Vesper, they were all thrown overboard. A boat was immediately lowered from the Vesper which picked up one man close to the gangway on the starboard side, but neither Botts or his wife or the boat were afterwards seen by the people on board the Vesper, which it is alleged remained near the spot for half an hour afterwards.

The body of the husband has not been recovered.

8. Highway Robbery. — At the Surry sessions, John Connen, aged 28, and John Barnes, aged 22, were indicted for a highway robbery.

It appeared that, on the night of the 7th of November last, James Higgins was at the Red Lion, at Egham, when, not being able to obtain a bed, none being vacant, he left with the intention of proceeding to Staines, but returned, and having knocked at the door, renewed his application to be allowed to remain there for the night This was refused, and he was immediately attacked by Barnes, who struck him a violent blow, which knocked him down, exclaiming at the same time, "D—n your eyes, what is it you want here?" Prosecutor having recovered himself, his hat was placed on his head by Connell, and he walked towards Staines, without attempting to resent the ill-usage he had experienced.

The two prisoners came up to him, and wanted to prevail on him to take up his abode for the night in some stables, but this the prosecutor refused to do while he had money to pay for a bed. When he got about half way between Egham and Staines the prisoners came up with him again, and Barnes rushing at him vociferated, "D—n your eyes, you are the fellow we want: we'll have your money or your b—y life!" The prosecutor said he was a poor man, and handed a shilling to Barnes, who took it with one hand, and with the other struck the prosecutor a blow on the side of the head, saying, "That shilling will not do for me." The blow knocked the prosecutor down, and while he was on the ground he was kicked and beaten about the head and body by Barnes, who tried to take a yellow silk handkerchief from his neck. The prosecutor resisted all in his power, and, hearing the noise of a cart approaching, he called out "Murder!" as loud as he was able, but his assailants stifled his cries by kneeling upon his breast and seizing his throat until he was nearly choked. The cart passed along, when, by a desperate effort, he got upon his feet and ran after the vehicle, but was pursued by the prisoners and again knocked down, and as he was lying struggling on the ground, Connell seized him by the left arm with one hand, and with the other held him by the throat, while Barnes thrust his hand into his pocket and pulled out all the silver he had in it, consisting of about 10*s*. Prosecutor still made efforts to prevent them from robbing him, when Connell exclaimed, "Mate, give up your money, or you'll be murdered." Barnes again endeavoured to drag the handkerchief off his neck, and commenced again kicking the prosecutor about the head and

shoulders, until Connell called out and said, "D— you Jack, don't murder him; somebody is a coming" The prosecutor was then left lying in the road by his assailants, who went across a gate into a field, and Connell returned in a moment afterwards, and, putting a shilling and a fourpenny piece into the prosecutor's hand, said, "That will pay for your night's lodging," and he then ran after his companion.

The prosecutor further stated, that he was bleeding from the nose, mouth, and ears, and was dreadfully injured and exhausted from the loss of blood.

The chairman having summed up,

The jury returned a verdict of guilty against both the prisoners, who then pleaded guilty to two former convictions.

Barnes was transported for life, and Connell for the term of fifteen years.

10. Cruel Treatment of Young Children in a Union-house.—An inquiry took place lately at Rochester, before the bench of magistrates into several charges preferred against James Miles, the master of the Hoo Union-house, for cruelly beating several young pauper children of both sexes.

The chairman, vice-chairman, and some of the union guardians were present during the investigation; and the defendant was attended by a clerk from a solicitor's office.

Some depositions, taken on a former occasion, having been read, which related to complaints having been made of misdemeanours preferred against defendant in having assaulted children,

Mr. Bentley, a magistrate, inquired who the complaining party was in this case?

The magistrates' clerk said, a poor little child, living several miles off.

The former depositions were to this effect:—

Elizabeth Danes stated, that she was thirteen years of age, and that the defendant, James Miles, had punished her three times while she was in the Union-house. The offence she had committed was leaving a little dirt in the corner of a room, and the defendant made her lie upon a table, and he took her clothes off, and beat her with a rod made of a birch-broom until blood came. Another time she was stripped, and received ten severe stripes; and a third time the master pulled up her clothes, and flogged her on her person. The latter time the blood came, and she was beat for leaving dirt in the corner of the room.

A woman named Roberts corroborated a portion of the above evidence. The defendant fetched her to hold Danes while he flogged her. The child cried bitterly, and the marks of the beating lasted upon her for some time. The girl's person was cut in stripes. Witness never saw the matron flog the girls.

Sarah Barnes, a little girl between ten and eleven years of age, stated that she had no father nor mother. She was in the Hoo Union-house until last Friday, and she had since been living with her grandmother, at Grange, since Saturday afternoon. She left because she broke a piece out of a milk jug, and she was told that she would have the rod the next morning. At six o'clock on Saturday morning she got up and left the Union-house and went

into Spainell-street, and a woman took her into her house and gave her some breakfast. She afterwards went and saw her uncle, named Stapleton, a shepherd, at Grange, and returned at night to Spainell-street, and slept at Mrs. White's. The next day (Saturday) she went to Mrs. Lanes, her grandmother, and had been with her ever since. The master of the Union came to her grandmother's and said, she (meaning witness) should have as much as he could give her. She understood he came to take her back, but he did not do so as she cried very much. Her grandmother would not let her go, as she was afraid her master would murder her, and some woman urged Mr. Lanes not to part with her. Mr. Miles had beaten her several times while she was in the house. She could not say how many, but he flogged her on the previous Tuesday to her running away. She was also beat on the Monday for not washing a dish clean. Her master laid her on a table in the hall and pulled up her petticoats and beat her until she was very much hurt, with a birch-rod. Blood did not come that time, and she could not say how many stripes she received. There were two women named Ann Jeffery and Ruth Bills in the hall, but she was not held by any one. Upon one occasion the master flogged her until blood came; and her mistress struck her on the last board-day with a poker upon her arm (the child shewed her arm, which was still black). She also struck her on the back with a poker, because she did not clean the stoves in the board-room.

The witness being asked, why she did not complain to the guardians? replied, that she was afraid to do so, lest her master should beat her again.

She further stated, that she escaped from the Union-house by getting through a window four feet from the ground. Her mistress had often struck her over the head with a broom-handle, because she could not finish cleaning out the board-room before the guardians meet.

On cross-examination by the court.—She said she did all the work with her mistress; and she worked on Sundays as well as week days. The master had flogged her four or five times on her person, and she had seen blood on her chemise afterwards. She had never been had up before the board of guardians. There were only one little girl like herself, two smaller, and six boys, in the Union. They had all been punished, except a little baby and two little boys.

Mrs. Sarah Lay deposed, that she was the wife of the parish clerk, and was not related to the little girl Sarah Barnes. Upon the death of the child's parents, witness took care of Sarah Barnes and her brother, and they had always called her their grandmother. The former came to witness about six o'clock on Saturday afternoon, and cried very much, and said that she had run away from the Hoo Union-house. About five o'clock the master came round on horseback, and he asked her if she had got a little girl named Barnes with her. She told him that she had, and she called Barnes out to him. When he saw her, he said, "Oh, there you are, are you? You are a pretty creature." Witness begged him to forgive the child, as she was a mere infant, and he replied that he would give

her as much as he was able when he got her home. Witness again entreated him not to do so, and he answered, "No more I will, but I will give her as much as I am able." He had a whip in his hand, which he flourished about, and he appeared to be in great anger. He did not say what he would give the child, but witness understood that he would beat her. He told her to send the girl home in a baker's cart which would come round with the relief bread. Several neighbours heard the master say what she had stated. The girl was between nine and ten years of age. She examined her body and found that parts of it were turned green and yellow. There was also a mark upon her arm, and likewise two other bruises.

On cross-examination by the court.—Witness stated, that she lived about eight miles from the Union-house, and would like to keep the child. She would not like her to go back to be ill-treated.

Mary Pearce stated that she lived in the Hoo Union-house as a pauper, and had three children there. She had seen Martha Davis and Jemima Danes, two female children, beat in the school-room by Mr. Miles, the master. She heard the cries of little Barnes last week when she was beaten in the hall. Mr. Miles had beaten her little girl, about six years old, and witness saw some weales upon her person. She thought they had been made by a whip. Her child was flogged for crying at school. This witness gave other evidence similar to the foregoing.

Another pauper, named Danes, spoke of having seen stripes upon the person of her little boys, which had been inflicted by severe floggings by the master.

After hearing other witnesses as to other similar acts committed by the defendant, the magistrates conferred together and determined upon sending the depositions to the poor-law commissioners, and to await their orders to proceed further in the matter.

12. Shocking Murder at Ashton—Lancashire. — This town was thrown into a state of the greatest consternation and alarm by the perpetration of a most atrocious and cold-blooded murder, committed at the early hour of six o'clock in the evening, on the premises of Mr. Richard Whitfield, joiner and builder, within a few hundred yards of the very heart of the town.

In order that the facts may be understood by our readers, it is necessary to state, that since the year 1832 the master joiners and builders of this town have been paying at the rate of 10 per cent. higher wages to their journeymen sawyers than the list arranged at Manchester in 1827, but in consequence of the depression of trade, the masters at Ashton have been compelled to reduce their workmen to the same scale. The journeymen sawyers resisted this attempt on the part of their employers, and "a strike," as it is technically called, was the consequence.

Among those who took this step were the men employed by Mr. Whitfield, who was compelled to seek fresh hands at the reduced rate of wages. He accordingly found two young men named Benjamin and James Cooper, who had come from Turtwistle to Ashton to seek employment. On their first commencing to work at Mr.

Whitfield's, they were discovered by "the Sawyers' Union," which assembled at the King's-head Inn, kept by a person named Whitehead. Eventually the "turn-outs" found means to approach the two Coopers, and invited them to the club on the first Saturday evening after they had entered Mr. Whitefield's employ. They attended, and were treated with drink, but though pointedly pressed to state the amount of wages, they refused to give any information on the subject. It is evident from what has transpired that the two Coopers were watched, for on the forenoon of yesterday week, two "turn-outs" named John Williamson and William Shaw visited Mr. Whitfield's yard, and had some conversation with Benjamin Cooper, who was what is technically called "top-sawyer," and he agreed to meet them at his lodging. Shaw and Williamson went there, and at dinner-time the Coopers joined them, and they had some ale together. In the evening of the same day, while the Coopers were at work, a gun, loaded with sparrow-shot, was discharged at them, but without inflicting any injury to either of them. Until last night nothing particular happened, when at six o'clock, just as the Coopers were resuming their work, a most terrific shot took place against the side of the shed in which they were engaged. Benjamin Cooper, who was just in the act of stepping upon a log of wood, exclaimed, "Oh, James, I'm done for!" and reeled to the side of the sawpit. On examination of the spot, it was at once seen that some piece of fire arms of extraordinary calibre and dimensions had been discharged through the crevices of the shed, and had scattered a number of large slugs in all directions. Two persons who were at work in a place adjoining the saw-pit heard the explosion, but were so frightened that they did not inquire what had been the matter. They were, however, informed by James Cooper, and with their assistance the wounded man was taken to his lodgings. His employer, Mr. Whitfield, and two surgeons, Messrs. Cheetham and Broadbent, were sent for. The two latter examined and probed the poor man's wounds, when it was found that two or three slugs of large size had entered his loins, and that one had penetrated as far as the pelvis. On re-examining the shed it was discovered that another large slug had passed through two boards, and lodged in the roof of the adjoining shed. The wounded man moaned piteously, and frequently exclaimed, "Oh! what will become of my wife and family," at the same time appearing quite convinced that he had not long to live. This fact the surgeons felt it their duty to communicate to him, and his statement was then taken in writing. He was likewise visited by the rev. Mr. Headforth, the curate of the parish, and by the rev. Mr. Quirk, his coadjutor.

It is said that the noise occasioned by the discharge of the piece (whatever it was) was heard all over the town, but, strange as it may appear, nobody went to see what had occurred. Mr. Whitfield, as soon as he had been informed of the matter, gave information to the police, and Mr. Robert Newton, the deputy constable, examined the spot. Nothing could be found which could be supposed likely to afford the

slightest clue to the discovery of the murderer. In the course of the evening, Mr. J. Lord, one of the magistrates, and his clerk, attended at the police-office, where they remained till a late hour, when Newton, accompanied by Mr. Whitfield, apprehended three men named Edward Davies and Samuel and Henry Hardwick, the secretary and stewards of the Sawyers' Union, and Mr. Gatley, of Staley-bridge, apprehended Williamson, the man who has been previously alluded to.

On the following morning the infernal machine, with which the diabolical act was committed, was found about thirty yards from the place where it was discharged. It is a piece of iron piping, about twenty inches long, with one end plugged up with wood and melted lead. A touch-hole had been filed and drilled into it, so as to form an awkward piece of artillery. It had been placed on a sloping bank close to the shed, and Cooper having been seen through the joints of the planks it was fired point-blank at him. The bore of the pipe was two inches in diameter, and it had recoiled about thirty yards. An inquest on the body of the murdered man took place two days after the murder, when a verdict of "wilful murder against some person or persons unknown," was returned.

15. Distressing Suicide. — An inquest was held, at the Penton Arms Tavern, Baron-street, Pentonville, before Mr. Wakley, M.P., on view of the body of Mr. George Seymour Pearson, aged thirty-two, solicitor, of Claremont-square, Pentonville, and Lincoln's-inn-fields, who put a period to his existence by hanging himself, under circumstances of a most afflicting nature.

The following evidence was brought forward relative to the distressing occurrence.

Jane Marshall, cook in the deceased's family, deposed that her late master was a single gentleman; his two sisters resided with him. He was in the habit of leaving home about nine o'clock in the morning, to go to his chambers in Lincoln's-inn-fields. He generally returned between four and five o'clock in the afternoon. He returned home on Saturday evening last, as usual, and took tea with the family, when he appeared in his usual health and spirits. He continued in the parlour until supper time, after which he read prayers to the family, which was his invariable practice, and retired to his bed-chamber about half-past ten o'clock. On the following morning (Sunday), not coming down stairs at the usual breakfast hour, one of the sisters went up and knocked at his bed-room door, but not receiving any answer she went into his room. Immediately afterwards Miss Pearson ran down stairs, screaming violently. Witness, her fellow-servant, and the younger Miss Pearson, met her on the stairs, and inquired the cause of her alarm, but she was so dreadfully agitated as to be incapable of answering. Witness then went into the deceased's bed-room, and found him hanging by a black silk handkerchief, which was over a cupboard door in the room. Her unfortunate master was in his night-shirt only. Witness was so much alarmed, that she ran out of the room, and the other servant went for Mr. Sawyer, a surgeon residing in Middleton-square.

That gentleman immediately attended and cut the deceased down, and for a length of time endeavoured to restore animation by bleeding and other remedies, but without any success, as life was quite extinct.

Witness could not account for her master committing the rash act; he was a very amiable gentleman, and lived upon the most affectionate terms with his sisters.

Elizabeth Renshaw, housemaid in the deceased's establishment, was next examined, but her testimony was merely a corroboration of the last witness's.

The last witness called, was Mr. Edward Sawyer, surgeon of Middleton-square, Pentonville, who deposed, that he had attended the deceased, and also the Misses Pearson, professionally, for some years past. Witness never observed the slightest appearance of derangement about the deceased; on the contrary, he was a most intelligent accomplished man. Witness was called in on Sunday morning, and found the deceased as already described, suspended by a handkerchief. Witness cut him down. Life was apparently quite extinct. He however bled him, and used other remedies, but without avail. Strangulation was the cause of death.

The jury, after commenting upon the extraordinary, as well as lamentable, nature of the case, returned a verdict of "Temporary insanity."

17. Attempted Suicide by two Sisters. — Union-hall. — Ann and Maria Bide, two sisters, aged eighteen and nineteen, of prepossessing appearance, were brought before the sitting magistrate at this office, charged with the following determined attempt at self-destruction. The defendants were both very genteelly dressed when placed at the bar, and endeavoured to conceal their faces by wearing their veils down, and holding handkerchiefs up to their mouths.

Thomas Linsay, of 28, William-street, Lant-street, Southwark, stated, that between ten and eleven o'clock on the preceding night, as he was crossing the Southwark-bridge, accompanied by Mr. Day, a boot and shoemaker in Stamford-street, their attention was arrested on observing something move on the outside coping. Both he and Mr. Day immediately jumped up on the seat of the recess over the middle arch on the eastern side of the bridge, and then distinctly saw two females as close together as possible in a kneeling position on the coping, which is narrow, and just capable of allowing a person to walk along. The moment he (Linsay) and his friend saw the two women, they stooped over the balustrades and seized each of them, when they discovered that they were both firmly tied together round the waists with two strong scarfs knotted, and which went round their bodies two or three times. At the moment they were grasped by the witness and his friend they endeavoured to disengage themselves, and entreated them to let them go, and the elder (Ann) made strong efforts to throw herself and sister backwards into the river beneath. After some difficulty, however, the witness and Mr. Day succeeded in dragging both the women over the balustrades on to the bridge, and they then said, that they were sisters; that they had determined

on dying together; that, although they were balked on that occasion, still they were determined to carry their project into effect when an opportunity presented itself. When questioned as to who they were, and where they lived, they gave their real names, said that they lodged at Bermondsey, and their father, who held a situation in the Custom-house, lived in John-street, Webb-street, Snow's-fields; but that he was at present on duty at Gravesend. They both begged hard to be let off, and when told that they would be taken to the residence of their parents, they became very much distressed, and entreated not to be taken there, and, in fact, tried to break away from the persons who were the means of saving them. Linsay and his friend, finding that the defendants had such a decided aversion to being taken home, conveyed them to the station-house.

A policeman stated, that the sisters were in the habit of frequenting the neighbourhood of the Borough hospitals, and that he used to see them in the company of the medical students. He added, that their father was a respectable man, and that his daughters were known to have given him much distress of mind in consequence of the vicious course of life which they had been leading for some time.

It having been proved by further evidence, that the defendants had expressed their determination to repeat their attempt at self-destruction, the magistrate said, that in order to restrain them, he should treat the charge as one for felony, and commit them to gaol. And accordingly they were committed.

— Shocking Murder. — A ferocious murder was committed at Bishop's-bridge, near Glasgow, about seven o'clock on this day. The victim was Mr. John Green, a ganger or superintendent of labourers on the Edinburgh and Glasgow-railway. All the labourers on the portion of the line in question are Irish, with the exception of two Englishmen; one of whom, with Mr. Francis Rooney, another superintendent, witnessed the murder. The account they give is, that previously to Green's coming up, a large party of Irishmen were assembled on a temporary wooden bridge over the railroad or its vicinity; but before his arrival the most of them departed in the direction of the smithy, as if about to commence work, leaving two or three behind. Green crossed the bridge, making a remark upon the weather as he passed; when one of the labourers followed him, and with a punch, or iron bar struck him a cruel blow on the head, which forced off his hat and brought him to the ground. Another labourer came up, and jumped upon the body; while the first continued to inflict repeated blows on the head and face of the unfortunate man with the iron instrument. The bloody work was soon done, and the two murderers ran off in the direction of Auchinearn. Green was only heard to exclaim, "Oh, God! are you going to murder me?" He was picked up quite insensible, and died within an hour afterwards. The Englishman who had witnessed the commencement of the assault ran off, being afraid that the onslaught was to be general. Mr. Rooney, however, saw the end of it from below the bridge, but was restrained from going

forward. Green had only come to the superintendency two days before; but a report was spread that he was strict and harsh in the former works which he overlooked, and the determination to rid themselves of one whom they might consider a sharp taskmaster, is the only reason which can be given for the outrage. Green had been attacked by a shower of stones on the previous evening. He was an active man, thirty years of age; and has left a widow and small family in England. On Friday forenoon, Mr. sheriff Bell, accompanied by a company of the Fifty-eighth foot, and a party of police-officers, were conveyed in a coach and three omnibusses to Cross-hill, for the purpose of apprehending the murderers, by taking the labourers by surprise. On nearing the place, the workmen were engaged under the level of the road, and were not apprised of the force until they were surrounded. No resistance was offered; and on the names being called, each labourer came forward and allowed himself to be secured. About twenty-one were taken in this manner. And three were subsequently discovered and secured in an adjoining wood; they were all conveyed to Glasgow Bridewell.

23. Officious Interference. — Marlborough-street. — Edmund Pearce, an half-pay officer, who decribes himself as a captain, and who is well-known at this office, was brought before the sitting magistrate, on a charge preferred against him by the hon. Mrs. Norton, of loitering about her residence, 36, Bolton-street, Berkeley-square, with a felonious intent.

Mrs. Norton, who was accompanied by her uncle, Mr. Charles Brinsley Sheridan, entered into an explanation of the particulars connected with the late trial; namely, Norton *v.* Viscount Melbourne, for which she assured the magistrates there was not the slightest grounds. She then gave the magistrate the particulars as to the manner in which Mr. Norton had by a subterfuge got possession of their children, and added, that Mr. Norton had made overtures of reconciliation to her, on condition that she could conciliate the party who first caused the rupture between them. She had complied with her husband's desire, but at the moment every thing appeared to be in a fair train, her and her husband's wishes were frustrated, and since then she had been exposed to an uninterrupted series of annoying attacks from the Grantley party. In the course of the late trial they had selected from her circle of friends the premier, and one of the witnesses had boasted, while stopping in lord Grantley's carriage at a turnpike-gate, on the road to London, that the premier would be ruined, and his (the witness's) fortune made. Among other persons who had annoyed her was the prisoner, who had written a letter to her, offering his mediation for the rest of her children, and who had called at her house two or three times lately, and offered her uncle's butler, the only male servant in the house, an Opera ticket on Tuesday week last, with, as she believed, the sole intention of getting him out of the way, so that the prisoner might annoy her in his absence. Mrs. Norton handed to the magistrate the letter which the prisoner had written and per-

sonally delivered to the butler, and which Mr. Fitzpatrick, the chief clerk, identified as the prisoner's hand-writing. Mrs. Norton further stated, that expecting the prisoner would call again last Thursday, she had a policeman in waiting for eight nights, to take him or any other person who should so come to annoy her into custody, as she declared that her constitution had been so enfeebled by these repeated attacks that her life was a burden to her. On Tuesday night last the prisoner, seeing a carriage stop at her door, which set down her mother, Mrs. Sheridan, forced his way into the house, although her mother desired he should not be admitted, and he was taken into custody.

She added, that if the prisoner would give his word to the magistrate to abstain from coming to her house or writing to her, she was willing to forego the charge.

The butler to Mr. Sheridan, who had received the letter, corroborated Mrs. Norton's statement.

The defendant, in reply, said he was very sorry Mrs. Norton should have been so persecuted, but he had read the particulars in the newspapers at the time of the trial, and he pitied her on account of her children. He declared that it was solely from the feelings of sympathy he felt towards Mrs. Norton, whom he had heard described as a most persecuted and amiable woman, that he had called to inquire after her health. He denied having any intention of persecuting her, or that he was in collusion with the party to whom she had alluded. He said, he called upon her, and in consequence of the personal civility he had received from the butler, he had, on the Tuesday night, as a slight return, and one which he thought might be acceptable to Mrs. Norton, offered him the opera ticket. Upon the night in which he had been taken into custody he had, on knocking at the door, been shown into a room where he saw a fine portrait of the late celebrated Richard Brinsley, Sheridan, to whom he had once had the honour of being introduced by his late lamented friend and preceptor, Edmund Burke, and while admiring it, was, to his great surprise, taken into custody.

On being asked by the magistrate, how he, knowing nothing about the parties, could bring about anything which might be beneficial to Mrs. Norton?

The defendant replied, that he mixed a great deal with the first circles at the west-end, and thought it very likely he might meet with some one who might have influence in the affair.

Mrs. Norton said, the defendant had been seen night after night watching the house. She was, however, willing to withdraw the charge against him, if he would promise never to annoy her by his presence, or write to her again.

The defendant accordingly, on giving the required pledge, was then discharged.

24. Supposed Death by Poison. — Disinterment of the Body.—Lately, at Northampton, an inquest on the body of Martha West, who was supposed to have died by poison, was brought to a close, after having lasted for several days. It seems, that on the 17th October, the deceased had purchased a stone of flour, which was placed in a

jar. Some of the flour was used for puddings on the 5th of November and on the 18th, and all who partook were taken ill. On the 21st Mrs. West died. The flour was used again on the 22d and on the 25th, for thickening broth; and again all who partook were taken ill, with exactly the same symptoms. No fewer than nine persons were thus affected the last time that the flour was used. Some suspicion was at length excited, and Mr. Elston, a surgeon, was called in. Portions of the flour were analyzed, and were found to be strongly impregnated with arsenic. It was now deemed requisite to institute an inquiry into the circumstances, and the body of Martha West was disinterred on the 5th December. An examination took place, and the presence of arsenic in the stomach was distinctly ascertained. An inquest was held on the body, and the following facts were elicited. George West, a son of the deceased, and the keeper of a general shop, purchased a pound of arsenic in August last. On Monday week, he had fourteen ounces left; the remainder he represented as having been sold. The next day, when the constable made inquiries about the fourteen ounces, West at first said the constable had taken it away with him the previous day, and afterwards that it must have been stolen during the night. He had been at Weedon on the Monday night; and on his return he was, he said, taken very poorly, and in putting up the shutter he had fallen forward and had broken the window. Through the opening he presumed the drawer containing the arsenic to have been abstracted. It appeared from the evidence of Mrs. Blackwell, one of the daughters of deceased, that on the Sunday following the death of Martha West, George was asked to stay and dine at the house. He said he would, and proposed to go and order some flour of a person near Claridge. Mrs. Blackwell then reminded him that there was flour in the house; upon which he begged her not to use that flour — his mother was so set against it, he said, that he should never forgive himself if any thing happened to them: he told her she had better give it to the pigs. At the close of the inquiry, the jury returned a verdict of "Wilful Murder" against George West.

28. Sudden Death.—An inquest was held in the drawing-room of the house No. 17, Stratford-place, Marylebone, on view of the body of lieutenant-general sir William Henry Pringle, aged 68, whose death occurred at his residence as above, under the following melancholy circumstances:—

Harriet Stirling stated, that she was second lady's maid to lady Pringle. On Wednesday afternoon last, about half-past three o'clock, she heard a noise in the library as of something heavy falling, and on hastening thither found her master lying on the floor on his back, apparently lifeless, and lady Pringle standing by his side. She, at her ladyship's desire, rang the bell, and the butler answering it, he was told to fetch a surgeon immediately. Witness then assisted her ladyship in lifting deceased into a chair, when she heard him sigh once heavily. On the surgeon's arrival witness left the room, and was subsequently told that deceased was dead.

John Vyse, butler in the service of the deceased, said, that deceased was of robust constitution, and in the general enjoyment of good health. On Wednesday afternoon last, about one o'clock, deceased went out to take a walk, and returned shortly after three, when he appeared as usual. About the time mentioned by the last witness, hearing the library bell ring, he went there, and on entering the room, saw deceased lying on the floor as described, and lady Pringle kneeling down by his side, supporting his head. Witness, by order of her ladyship, went for a surgeon, and fetched Mr. Hans, of Duke-street, Manchester-square, who applied mustard poultices to deceased's feet, at the same expressing an opinion that anything that could be done would be of no avail, as deceased was dying. In a few minutes afterwards life was extinct.

Mr. Wakley, the coroner, said he had no doubt that deceased's death was occasioned by disease of the heart, which was now fearfully prevalent, and which an eminent physician had recently told him was the cause of ninety-five sudden deaths out of 100.

The jury returned a verdict, "Natural death."

The deceased officer was colonel of the 45th regiment, had served under the duke of Wellington in the Peninsular war, distinguished himself in various engagements. He had been nearly fifty years in the army, and for his general bravery had been created a knight grand cross of the order of the Bath.

APPENDIX TO CHRONICLE.

LIST OF THE QUEEN'S MINISTERS.

Viscount Melbourne	*First Lord of the Treasury.*
Rt. hon. Francis Thornhill Baring	*Chancellor of the Exchequer.*
Lord Cottenham	*Lord Chancellor.*
Marquess of Lansdowne	*President of the Council.*
Viscount Duncannon	*First Commissioner of Land Revenue.*
Earl of Clarendon	*Lord Privy Seal.*
Marquess of Normanby	*Secretary of State for the Home Dept.*
Viscount Palmerston	*Secretary of State for Foreign Affairs*
Lord John Russell	*Secretary of State for the Colonies.*
Earl of Minto	*First Lord of the Admiralty.*
Rt. hn. Sir John Cam Hobhouse	*President of the Board of Control.*
Right hon. Henry Labouchere	*President of the Board of Trade and Master of the Mint.*
Lord Holland	*Chancellor of the Duchy of Lancaster.*
Rt. hon. T. Babington Macaulay	*Secretary at War.*
Lord Morpeth	*Chief Secretary for Ireland.*

*** *The above form the* CABINET.

Earl of Lichfield	*Postmaster-General.*
Earl of Uxbridge	*Lord Chamberlain.*
Earl of Errol	*Lord Steward.*
Earl of Albemarle	*Master of the Horse.*
Right hon. Sir Henry Parnell, bt.	*Paymaster General.*
Right hon. Rich. Lalor Sheil	*Vice-President of the Board of Trade.*
Rt. hn. Sir Richard H. Vivian, bt.	*Master General of the Ordnance.*
Sir John Campbell, knt.	*Attorney-General.*
Sir Thomas Wilde, knt.	*Solicitor-General.*

IRELAND.

Viscount Ebrington	*Lord-Lieutenant.*
Lord Plunket	*Lord Chancellor.*
Lt. gen. Sir Edw. Blakeney	*Commander of the Forces.*
Right hon. Maziere Brady, Esq.	*Attorney-General.*
David Richard Pigot, Esq.	*Solicitor-General.*

SHERIFFS FOR THE YEAR 1840.

Bedfordshire	W. F. Brown, of Dunstable, esq.
Berkshire	H. Hippisley, of Lamborne-place, esq.
Bucks	J. P. Deering, of the Lee, esq.
Cambridge and Huntingdonshire	Thomas Mortlock, of Little Abingdon, esq.
Cheshire	John Tollemache, of Tilstone Lodge, esq.
Cornwall	Sir R. R. Vyvyan, of Trelowarren, bart.
Cumberland	Sir G. Musgrave, of Eden-hall, bart.
Derbyshire	Sir H. J. J. Hunloke, of Wingerworth, bart.
Devonshire	Augustus Stowey, of Kenbury, esq.
Dorsetshire	John Samuel Wanley Sawbridge Erle Drax, of Charborough-park, esq.
Durham	Sir H. Williamson, of Whitburn, bart.
Essex	C. T. Tower, of Weald-hall, esq.
Gloucestershire	Sir M. H. Hicks-Beach, of Williamstrip-park, bart.
Herefordshire	T. Heywood, of Hope End, esq.
Hertfordshire	C. S. Chauncy, of Little Munden, esq.
Kent	Arthur Pott, of Bentham-hill, Tunbridge Wells, esq.
Lancashire	Thomas Fitzherbert, of Brockholes, esq.
Leicestershire	Sir G. J. Palmer, of Wanlip, bart.
Lincolnshire	T. G. Corbet, of Elsham-hall, esq.
Middlesex	John Wheelton and William Evans, esqrs.
Monmouthshire	Summers Harford, of Sirhowy, esq.
Norfolk	H. Villebois, of Marsham-house, esq.
Northamptonshire	T. A. Cooke, of Peterborough, esq.
Northumberland	W. Lawson, of Longhirst, esq.
Nottinghamshire	Sir J. G. J. Clifton, of Clifton, bart.
Oxfordshire	Hugh Hamersley, of Great Haseley-house, esq.
Rutlandshire	S. R. Fydell, of Morcott, esq.
Salop	Thomas Eyton, of Eyton, esq.
Somersetshire	John Jarrett, of Camerton, esq.
Staffordshire	H. J. Pye, of Clifton-hall, esq.
Southampton	John Meggott Elwes, of Bossington-house, Stockbridge, esq.
Suffolk	G. St. V. Wilson, of Redgrave, esq.
Surrey	The Hon. Peter John Locke King, of Woburn Farm, Chelsea.
Sussex	J. D. Gilbert, of Eastbourne, esq.
Warwickshire	Demster Heming, of Caldecott, esq.
Westmoreland	Earl of Thanet, of Appleby-castle.
Wiltshire	W. H. F. Talbot, Lacock Abbey, esq.
Worcestershire	James Foster, of Stourbridge, esq.
Yorkshire	Sir Thomas Aston Clifford Constable, of Burton Constable, bart.

WALES.

Anglesey	Sir L. P. J. Parry, of Madryn, knt.
Breconshire	R. D. Gough, of Yniscedwin, esq.
Cardiganshire	J. W. Lewis, of Llanarchayron, esq.
Carmarthenshire	J. L. Price, of Glangwilly, esq.
Carnarvonshire	Hon. E. M. L. Mostyn, Plas Hen.
Denbighshire	T. Mainwaring, of Marchweil-hall, esq.
Flintshire	W. S. Conway, of Bodryddan, esq.
Glamorganshire	M. Williams, of Morfa, esq.
Merionethshire	G. P. Lloyd, of Plasyndre, esq.
Montgomeryshire	T. Evans, of Maenol, esq.
Pembrokeshire	R. Llewellyn, of Tregwynt, esq.
Radnorshire	E. Rogers, of Stanage Park, esq.

IRELAND.

Antrim	Thomas Gregg, of Ballymunoch, esq.
Armagh	William Jones Armstrong, of Elm Park, esq.
Carlow	Horace Rochfort, of Clogrennan, esq.
Cavan	John Nesbitt, of Lismore Lodge, esq.
Clare	John Bindon Scott, of Cahircon, esq.
Cork	Horace Townshend, of Woodside, esq.
Donegal	Rob. Geo. Montgomery, of Convoy, esq.
Down	Matthew Forde, of Seaforde, esq.
Dublin	John Godley, of Raymount, esq.
Fermanagh	Simon Armstrong, of Hollymount, esq.
Galway	Fred. Will. Trench, of Woodlawn, esq.
Kerry	Shene Dennis Lawler, of Castle Lough, esq.
Kildare	Hugh Barton, of Straffan, esq.
Kilkenny	Lorenzo Nickson Izod, of Chapelizod, esq.
King's County	Garrett O'Moore, of Cloghan Castle, esq.
Leitrim	Hugh Lyons Montgomery, of Belhovel, esq.
Limerick	Richard Hart, of Coolrus, esq.
Londonderry	Thomas Chambers & J. M. Dysart, esqrs.
Longford	Samuel Galbraith, of New Grove, esq.
Louth	John M'Clintock, of Drumear, esq.
Mayo	Col. Arthur Knox Gore, of Beleek House.
Meath	Robert Craven Wade, of Clonabrany, esq.
Monaghan	William Hamilton, of Castleblaney, esq.
Queen's County	John Tibeaudo, of Portnahinch, esq.
Roscommon	Nicholas Balfe, of South Park, esq.
Sligo	John Wynne, of Hazlewood, esq.
Tipperary	Henry Prittie, of Corville, esq.
Tyrone	John Lyndesay, of Loughry, esq.
Waterford	William Moore, of Moorehill, esq.
Westmeath	William Pollard, jun., of Kankirk, esq.
Wexford	Sir Thos. Esmonde, of Ballynastra, bt.
Wicklow	Richard Hodgson, of Spring Farm, esq.

BIRTHS.

1840.

JANUARY.

5. In Portland-place, lady Teignmouth, a son and heir.

6. At East Horsley, the lady of the hon. and rev. A. P. Perceval, a son.

9. At Baron's Court, Ireland, the marchioness of Abercorn, a daughter.

14. In Dorset-square, the lady of the hon. William Stourton, a son.

16. At Blythe, Lancashire, the lady of the hon. Richard Bootle Wilbraham, M. P., a daughter.

— At Swynnerton Park, Staffordshire, the lady of Francis Fitzherbert, esq., a son.

22. At Brightstone, Isle of Wight, the wife of the ven. archdeacon Wilberforce, a son.

— At Naples, viscountess Duncan, a daughter,

24. The countess of Eldon, a son, still-born.

— At Ashysteel, Selkirkshire, the lady of major-general sir James Russell, K. C. B., a son, still-born.

— At West Tarling, Sussex, the lady of the rev. J. W. Warter (daughter of the poet laureate), a son.

25. At Lincoln's-inn-fields, the wife of the rev. Thomas Dale, a son.

26. At Maidstone, lady Catherine Balders, a daughter.

— At Derwent Lodge, the hon. Mrs. John Roper Curson, a son.

— The lady of Henry Down, esq., a daughter, being her 18th child.

Lately.—At Cheltenham, the wife of the hon. J. A. Lysaght, a son.

— The baroness de Moncorvo, lady of the Portuguese minister at this court, a daughter.

— At Kellyville, Queen's County, the wife of the hon. W. Wingfield, a son.

FEBRUARY.

2. At Dynas Powis, Glamorganshire, the wife of H. P. Lee, esq., a son.

— At Everingham Park, the wife of William Constable Maxwell, esq., a daughter.

3. At Naples, the hon. Mrs. Edward Thornton Woodhouse, a son.

4. In Bryanstone-square, the wife of the venerable archdeacon Pope, of Jamaica, a son.

8. At Montagu House, Whitehall Gardens, lady Margaret Marsham, a daughter.

— At Astley Castle, Coventry, lady Mary Hewitt, a daughter.

9. At Norton, Lincolnshire, the wife of the dean of Windsor, a daughter.

— At Florence, the lady Rendlesham, a son and heir.

11. At Ostend, the wife of lieut.-col. Fulton, K. H., a daughter.

— At Lower Brook-street, the hon. Mrs. Arthur Duncombe, a son.

15. At Cornbury Park, the wife of the hon. Thomas George Spencer, a dau.

16. At Florence, the hon. Mrs. B. N. Garnier, a daughter.

— At Edinburgh, lady Harriott B. Hamilton, a daughter.

20. At Acton, lady Denman Croft, a daughter.

— At Adlestrop House, Gloucestershire, the lady Eleanor Cathcart, a son.

22. At Glevering Hall, the hon. Mrs. Vanneck, a daughter.

24. At Rome, the countess Giuseppina Carducci Genuense, a son and heir.

— At Dane-court, Kent, the wife of E. Rice, esq., M. P., a son.

27. In Belgrave-square, the lady of the hon. colonel Grant, of Grant, M. P a daughter.

MARCH.

1. In Upper Grosvenor-street, lady Jolliffe, a daughter.

2. In Eaton-place, lady Marcus Hill, a son and heir.

— At Naples, the wife of John Kennedy, esq., H. B. M., secretary of legation, a daughter.

4. At Bath, the wife of the hon. and rev. P. A. Irby, a son.

6. At Over Ross, the wife of Sir E. Head, bart., a son.

8. At Heath Hall, the honble. Mrs. Smyth, a daughter.

12. At Laleham, the countess of Lucan, a daughter.

13. At Baron Hill, Anglesey, lady William Bulkeley, a son.

15. In Mount-street, the hon. Mrs. Edmund Phipps, a son.

BIRTHS.

20. In Mansfield-street, lady Jenkins, a son.

21. At Brompton, lady Sarah Ingestrie, a daughter.

29. At Hainton Hall, near Lincoln, the lady of G. F. Heneage, esq., a son and heir.

— In Hertford-street, the hon. Mrs. Scott, a son.

— At Blackheath, lady Barbara Newdigate, a son.

30. At Mintern, Dorset, lady Theresa Digby, a daughter.

— In Portman-square, the hon. Mrs. Montagu, a daughter.

Lately.—Princess Doria Pamphili, a daughter.

APRIL.

2. At Lisbon, the lady of admiral Sartorius, a son.

3. At Castletown, county Kilkenny, the lady of W. Villiers Stuart, esq., M. P., a son.

— The lady of capt. Mathew, M. P., a son.

4. At Walton, Glastonbury, lady John Thynne, a daughter.

7. At Leamington, the lady of Jos. Bailey, esq., jun., M. P., a son and heir.

— At Douglas, Isle of Man, the lady of captain sir Thomas Sabine Paisley, R. N., a son.

9. At Sandhurst, Gloucestershire, the lady of the rev. Nicolas Tindal, a dau.

10. In Belgrave-street, the countess of Pomfret, a daughter.

11. At the Ray, Maidenhead, lady Phillimore, a posthumous daughter.

— The hon. Mrs. Arthur Arundell, a daughter.

15. In Piccadilly, the duchess of St. Alban's, a son.

18. At Balgarvie, the hon. Mrs. Frederick Scrymgeour Wedderburn, a son.

22. In Grosvenor-square, the hon. Mrs. Charles Stanley, a daughter.

— At Shabden Park, Surrey, the lady of sir T. B. Hepburn, bart., M. P., a daughter.

— At Naples, the lady of lieut.-col. Andrew Campbell, hon. East-India company's artillery, and of Avisyard, county of Ayr, a son and heir.

23. The countess of Listowel, a daughter.

— The lady of John Dennistoun, esq., M. P., a daughter.

25. The hon. Mrs. E. C. Curson, a daughter.

— At East Sheen, lady Charlotte Penryhn, a son, still-born.

26. The lady of sir William Knighton, a daughter, still-born.

27. At Edinburgh, the right hon. lady Elibank, a son and heir.

28. At Ashley Park, Surrey, lady Fletcher, a daughter.

30. In Nottingham-place, the viscountess Hood, a daughter.

MAY.

2. The wife of John Barneby, esq., M. P., a son.

7. The wife of archdeacon Hollingworth, a daughter.

11. At St. George's, Bermuda, the lady of R. C. Macdonald, esq., of Castle Tioram, a son and heir.

12. At the College, Durham, lady Chelsea, a son.

13. In Bryanstone-square, the lady of Frederic Thesiger, esq., M. P., a daughter.

— At Belmont, Wexford, the lady of C. A. Walker, esq., M. P., a son.

— At Fern Cottage, near Windsor, lady Kinnaird, a son and heir.

14. Lady Robert Grosvenor, a dau.

16. The lady of the very rev. sir Herbert Oakeley, bart., a son.

20. In South-street, the lady of Edward Strutt, Esq., M. P., a son.

21. At Milford Lodge, Hants, the lady of colonel H. T. Roberts, C. B., a son.

22. At Melville House, Fife, the countess of Leven and Melville, a daughter.

23. At Dover, the lady of the hon. Robert Forbes, a son.

25. At Lewisham, the hon. Mrs. S. Rice, a daughter.

26. In Dover-street, the lady Emma Vesey, a daughter.

— At Brighton, the lady of rear-admiral the hon. M. J. Henniker, a daughter.

28. In Mansfield-street, the hon. Mrs. Craven Fitzhardinge Berkeley, a daughter.

29. At East Sheen, the lady of lieut.-colonel Hankey, a daughter.

31. At Florence, lady Hawley, a daughter.

Lately.—In Ireland, the wife of sir Hugh Stewart, bart., a son.

BIRTHS.

— At Temhill, Salop, hon. Mrs. Lovett, a daughter.

JUNE.

6. At Baron Hill, Ireland, lady George Hill, a daughter, still-born.

8. In Wilton Crescent, the lady Charlotte Egerton, a daughter.

9. Lady Dunglas, a son.

— At Wenvoe Castle, Glamorganshire, the lady of Robert Francis Jenner, esq., a son.

13. Lady Charles Thynne, a daughter.

15. The wife of the hon. F. D. Ryder, of twin girls.

17. In Eaton-square, lady Lyttleton, a daughter.

19. In Portman-square, viscountess Combermere, a son, still-born.

20. In Northamptonshire, the hon. Mrs. Douglas, a daughter.

21. In Wilton Crescent, the lady Howard, a son.

— In Portman-square, the hon. Mrs. J. Rowland Smyth, a daughter.

22. In St. James's-square, lady Harriet Hervey, a daughter.

23. The countess of Denbigh, a daughter.

— The countess of Lincoln, a son.

25. In Cumberland-street, Portman-square, lady Charlotte Jane Blount, a son.

— At Brighton, the hon. Mrs. Boyle, a son.

29. In Curzon-street, lady Ernest Bruce, a son.

— Lady Andover, a daughter.

30. In Belgrave-square, the countess of Brecknock, a son and heir.

Lately.—In Dublin, lady Louisa Knox, a son and heir.

— At Woodcote, lady Louisa Cotes, a daughter.

— In Grosvenor-place, lady Rivers, a daughter.

JULY.

2. At Brighton, the lady of J. W. Fitzpatrick, esq., M. P., a daughter.

— In Lower Belgrave-street, the lady of James Emerson Tennent, esq., M. P., a daughter.

— At the Warren, Devon, the right hon. lady Mary Haworth, a son.

3. At Tunbridge Wells, the hon. Mrs. Hamilton, a son.

— At Brighton, the lady of the hon. Charles Hanbury Tracy, a son.

4. At Nisbet, Berwickshire, the hon. Mrs. St. Clair, a daughter.

— In Chesham-place, lady Henry Cholmondely, a daughter.

9. In Wilton Crescent, the lady Mary Gordon, a daughter.

10. In Great Stanhope-street, viscountess Fitzallan, a daughter.

11. At Lower Beeding, Sussex, the lady of the rev. John Mountague Cholmeley, a daughter.

12. At Cumberland Lodge, the countess of Uxbridge, a son, still-born.

— The lady of the hon. Augustus Moreton, a son and heir.

13. In Wilton Crescent, lady Mary Saurin, a daughter.

14. At Oxford, the lady of the rev. William Palmer, M. A., of Worcester College, a daughter.

— At Cranford-hall, Northamptonshire, the lady of sir George Robinson, bart., a daughter.

18. At King's Bromley Manor, the hon. Mrs. Newton Lane, a son.

— In Hill-street, Berkeley-square, the baroness de Cetto, a son.

19. At Downshire Hill, Hampstead, the hon. Mrs. Butler, a son.

20. At Tunbridge Wells, the lady Sarah Taylor, a son.

21. At Kensington, lady Willock, a son.

— In Curzon-street, the lady Louisa Alexander, a daughter, still-born.

22. At Alton Towers, princess Borghese, a son.

— At the Tower, the lady Emily Seymour, a daughter.

26. At Gayton, the wife of Higford Burr, esq., M. P., a son and heir.

— At Upper Belgrave-street, lady Worsley, a daughter.

— In Harley-street, lady Stirling, a daughter.

29. The lady of Sir W. Follett, M.P., a son.

Lately.—At Monkstown, Dublin, the lady of the O'Connor Don, M. P., a son.

— At the Castle, Dublin, lady Leeson, a son.

— At Toronto, the wife of the hon. J. Macaulay, inspector-general, three daughters.

— At Noseley, Leicestershire, lady Hazelrigg, a son.

— At Dowlais House, lady Charlotte Guest, a son.

— At Dublin, viscountes Massarene, a daughter.

BIRTHS.

AUGUST.

2. At Rock Hill, Donegal, the lady Helen Stewart, a son, still-born.

3. At Westover, Isle of Wight, the lady of the hon. W. A'Court Holmes, a daughter.

— In Eaton-square, the lady of Edward Divett, esq., M. P., a daughter.

4. The wife of the hon. and rev. F. Clements, a daughter.

10. At Dittisham, the lady Henry Kerr, a son.

— At Fellbrigg, lady Sophia Windham, a son.

— The wife of W. Bagge, esq., M.P., a son and heir.

13. At Meriden, lady Mordaunt, a daughter, still-born.

— At Staplehurst, the lady Mary Hoare, a son.

16. At Parkahour, county of Tyrone, the lady Caroline Burges, a daughter.

— The lady of sir George Young, bart., a son.

17. At Petworth, Sussex, the lady of Francis Scawen Blunt, esq., a son.

19. The hon. Mrs. Gray, a son.

20. At Charlecote Park, Warwickshire, the wife of George Lucy, esq., a son.

28. At the Charterhouse, the lady of Mr. Archdeacon Hale, a son.

— In Berkeley-square, lady Jane Walsh, a daughter.

30. At Southampton, viscountess Corry, a daughter.

Lately.—In Dublin, the wife of sir Rowan Hamilton, a daughter.

— The lady Elizabeth Brownlow, a daughter.

— The hon. Mrs. Foster Delap, a daughter.

— The hon. Mrs. G. T. O'Callaghan, a daughter.

— In Scotland, the wife of major-general Cunningham, a daughter.

Lately.—Lady Charlotte Talbot, a daughter.

SEPTEMBER.

1. The countess of Clonmel, a son and heir.

2. In Grosvenor Crescent, the countess of Clarendon, a daughter.

3. At Clapham Common, the lady of John Humphery, M. P., a son.

— The lady Catherine Barrington, a son.

4. The hon. Mrs. Yeats Brown, a daughter.

5. The hon. Mrs. Brampton Gordon, a son.

— In Half Moon-street, the lady Anna Maria Tollemache, a daughter.

6. At Scarborough, the lady of G. W. Featherstonhaugh, a son.

8. At Eton College, the hon. Mrs. Hodgson, a daughter.

15. The hon. Mrs. Edwards, a daughter.

16. At Patras, Greece, the lady of count Giovanni Salomos, of the island of Zante, and daughter of sir George Tuite, bart., a son.

18. In Edinburgh, lady Arthur Lennox, a daughter.

— The lady of R. More O'Ferrall, esq., M. P., a daughter.

23. At Moore Abbey, Kildare, the lady Henry Moore, a daughter.

24. In Grosvenor-place, the lady Mahon, a son.

25. At Battersea, the hon. Mrs. Eden, a son.

OCTOBER.

1. At Holne Park, Ashburton, the hon. Mrs. Laurence Shawe, a son.

— In Belgrave-square, the lady of colonel H. White, M.P., a daughter, still-born.

5. At Melchbourne Park, Bedfordshire, the lady St. John, a son and heir.

8. At Swanbourne, Bucks, lady Fremantle, a daughter.

— At Hevitre, the hon. Mrs. Ford, a daughter.

20. At Leamington, Lady Vere Cameron, a son.

23. At Chambly, Lower Canada, lady Georgina Cathcart, a daughter.

— At King-street, St. James's-square, the lady Louisa Hughan, a daughter.

— At Linton Spring, Yorkshire, the lady of F. Garden Campbell, esq., of Troup, &c., a son and heir.

25. In Devonshire-place, the hon. Mrs. Tottenham, a daughter.

26. At Godmersham, Kent, the wife of the rev. A. Lyall, a son.

28. The countess of Ashburnham, a son and heir.

— At Innox Hill House, Somerset, the lady of lieut.-col. J. W. Aitchins, a daughter.

29. At Prestongrange, the lady Harriet Suttie, a daughter.

MARRIAGES.

30. At Wimpole, the countess of Hardwicke, a son.

Lately. At Gosford, Devon, the lady of sir Henry Farrington, bart., a daughter.

— At Bath, the lady of Thomas Duffield, esq., M.P., a daughter.

— At Chippenham, the lady of W. Mortimer, esq., of three sons, still-born.

NOVEMBER.

1. In Curzon-street, the lady of James Stewart, esq., M.P., a son.

— At Oxford, the lady of the rev. Dr. Jelf, canon of Christ Church, a daughter.

5. At Mawley, lady Blount, a son.

6. In Grosvenor-square, the countess of Galloway, a daughter.

8. The lady of baron Lionel de Rothschild, of Piccadilly, a son.

17. At Parsonstown, Ireland, lady Oxmantown, a son.

23. At Tenby, the lady Mobella Knox, a daughter.

— At Heidelburg, in Germany, the lady of the baron Leonard de la Viere, a son.

25. In Upper Berkeley-street, Portman-square, the lady of H. L. Styleman Le Strange, esq., of Hunstanton Hall, Norfolk, a son and heir.

29. In Cumberland-place, the hon. lady Butler, a son and heir.

30. At Shobden Court, Herefordshire, the right hon. lady Batemen, a dau.

— In Park-street, Grosvenor-square, lady Graham, a daughter.

DECEMBER.

1. At Woburn, lady Charles Russell, a daughter.

4. At Brighton, the countess Cowper, a daughter.

— At Leamington, the lady of Sir Edward Mostyn, bart., a son.

6. At Cork, the lady of lieut.-col. Johnstone, a son.

7. The countess of Arran, a son.

10. In Grosvenor-square, the countess of Carnarvon, a daughter, who only survived a few hours.

15. At Leamington, the lady Caroline Turnor, a son.

18. The lady of sir William Medlicott, bart., a daughter.

20. The lady of J. Milnes Gaskell, esq., M.P., a son, still-born.

MARRIAGES.

1839.

Nov. 12. At Hobart Town, the hon. David Erskine, third son of lord Erskine, to Anne Maria, eldest daughter of Josiah Spode, esq., chief police magistrate of Van Diemen's Land.

Dec. 19. At Mahabeshwa, major-general, sir J. F. Fitzgerald, K.C.B., commander of the forces, Bombay Presidency, to Jean, eldest daughter of the hon. D. Ogilvy, of Clove.

— 24. At Athens, the baron Philip de Wurtzburgh, son of the baron de Wurtzburgh, of Wurtzburgh, to Anne Bickerton Theresa, eldest daughter of sir Edmund Lyons, her majesty's minister plenipotentiary in Greece.

1840.

JANUARY.

9. At Leamington, the rev. Algernon Turner, of Wragby, to Sophia, only daughter of the late sir Thomas Whichcote, bart., of Aswarby Park, Lincolnshire.

16. At St. George's, Hanover-square, lieutenant, the hon. Charles H. Maynard, only son of viscount Maynard, to the hon. Frances Murray, sister to lord Glenlyon.

22. At Remenham, Berks, the rev. Augustus Fitzroy, rector of Fakenham, Suffolk, third son of the late lord Henry Fitzroy, to Emma, sixth daughter of E. Fuller Maitland, esq., of Park-place, Henley-on-Thames.

— The rev. H. W. Beadon, vicar of Latton, Wilts, to Frances Isabella, youngest daughter of the late major-gen., the hon. sir W. Ponsonby, K.C.B.

26. At Tisbury, Wilts, M.R. Jeffreys, of Lincoln's-inn, esq., to Anna Maria, third daughter of John Benett, of Pyt-house, esq., M.P.

MARRIAGES.

29. At Dennington. Suffolk, the rev. C. M. Doughty, of Theberton Hall, Suffolk, to Frederica, third daughter of the hon. and rev. Frederick Hotham.

— At Belsize Park, Hampstead, Juliana, daughter of John Wright, esq., to F. C. Worsley, esq., brother to Sir William Worsley, bart., of Hovingham Hall, Yorkshire.

FEBRUARY.

5. At Marlborough House, the bishop of Carlisle, to the hon. Miss Hope Johnstone, one of the maids of honour to her majesty, the queen dowager.

6. At Bangor Church, Matthew John, eldest son of William Anketill, esq., of Anketill Grove, county Monaghan, to Catherine, eldest daughter of David Ker, esq., M.P.

11. At Kensington Palace, by special licence, lord Dinorben to Miss Gertrude Smyth, sister of her royal highness, the princess of Capua.

— At Eastbourne, Sussex, William S. Holmes, esq. of Gawdy Hall, to Hester, youngest daughter of the late Davies Gilbert, esq., of Eastbourne and Cornwall.

27. At St. George's Hanover-square, John W. Fleming, esq., eldest son of John Fleming, esq., of Stoneham Park, Southampton, to the lady Katherine Cochrane, only daughter of the earl of Dundonald.

— At Leamington, the rev. Hugh Bold, rector of Llanfihaugel, Brecknockshire, to Theodosia Frances, second daughter of lieut.-gen., Sir William Hutchinson.

MARCH.

12. At Paris, the baron du Quesne, to Adele, second daughter of the late Peter Domecq, esq., of Xefes de la Frontera.

— At St. Leonard's capt. J. W. Montagu, R.N., son of the late admiral, sir George Montagu, G.C.B. to Isabella Elizabeth, daughter of Charles Beauclerk, esq., of St. Leonard's Forest, Sussex.

17. At St. George's, Hanover-square, the hon. A. J. Ashley Cooper, youngset son of the earl of Shaftesbury, to Julia, eldest daughter of H. J. Conyers, esq., of Copthall, Essex.

— At Dublin, Chas. Le Poer Trench, esq., second son of the hon. and rev., the late archdeacon of Ardagh, to Fanny, fourth daughter of the late lord archbishop of Tuam.

18. At Great Stanmore, Middlesex, Robert Hollond, esq., M.P. for Hastings, to Ellen, only child of Thomas Teed, esq., of Stanmore Hall.

25. At St. Mary's, Bryanstone-square, captain Charles Trollope, second son of the late sir John Trollope, bart., of Casewick, Lincolnshire, to Frances, only child of the late John Lord, esq.

APRIL.

1. At Baxterly, near Cheltenham, B. N. Arnold, M.D. son of the rev. C. Arnold, incumbent of Meltor and Langho, Lancashire, to Louisa, countess of Kintore (divorced from the earl of Kintore, by a decree of the Scotch court of session, on the 3rd of March previous).

2. At Stapleton, near Bristol, John Strachan, jun., esq., gentleman-usher of the queen, to Mary-Anne, daughter of the late Isaac Elton, esq., of Stapleton House.

4. At Florence, baron P. W. D'Hoggeur, of the Hague, to Frederica, third daughter of lieut.-col. the hon. Gerald de Courcy.

— Mr. De Hosta, only son of the late Portuguese ambassador at St. Petersburg, to Harriet, only child of the late Aquilar Browne, esq., of Lisbon.

7. At Moccas Court, Herefordshire, Catherine Elizabeth, daughter of the late sir George Cornwall, to T. C. Master, esq., M.P. for Cirencester, eldest son of colonel Master, of Knowle Park, Gloucester.

10. The right hon. Henry Labouchere, M.P., to Frances, youngest daughter of sir Thomas Baring, bart., of Stratton Park.

11. At Watnall, Edward Heneage, esq., M.P., to Charlotte Frances Anne, youngest daughter of Lancelot Rolleston, esq., M.P.

20. At Bath, major-general sir W. Davy, C.B. and K.C.H., to Sophia, eldest daughter of Richard Fountayne Wilson, esq., of Melton, Yorkshire.

21. At St. George's Hanover-square, the rev. W. Marsh, D.D., to the lady Louisa Cadogan.

— At Blickling, Norfolk, the hon. and rev. A. Wodehouse, youngest son

MARRIAGES.

of lord Wodehouse, to Emma Hamilton, second daughter of Reginald Macdonald, chief of Clanronald.

22. In Dumbartonshire, A. C. Dunlop, esq., to Anne, daughter of the late James Hay, esq., of Collieprest, Devonshire, and the lady Mary Hay.

— At Leamington, W. C. E. Freke, esq., nephew of lord Carbery, to lady Sophia, widow of sir T. Whichcote, bart. and sister of the earl of Harborough.

— At Florence, Theophilus Clive, esq., to Frances Caroline, second daughter of lieut.-gen. lord Edward Somerset, G.C.B.

26. At St. George's, Hanover-square, J. W. Dunscomb, esq., son of the hon J. Dunscomb, of St. John's, Newfoundland, to Caroline B., youngest daughter of major-general Durnford, of the royal engineers.

29. At St. George's, Hanover-square, Fulke Southwell Greville, esq., son of Algernon Greville, esq. to the lady Rosa M. A. Nugent, daughter of the marquess of Westmeath.

MAY.

4. At Surat, J. W. Hoare, esq., 13th regt. B.N.I., son of sir Joseph Hoare, bart., to Jane Ellis Payne, eldest dau. of lieut.-col. Charles Payne.

12. At Hove, Sussex, lieut.-col. Patrick Campbell, C.B., to Charlotte, daughter of the late rev. Athelstan Stephens, rector of Goodneston, Kent.

16. At Hampstead, J. W. Bosanquet, esq., second son of Samuel Bosanquet, esq., of Dingestow Court, Monmouth, to Merelina, only daughter of the right hon. the lord chief justice Tindal.

— At Kensington, sir Alexander Duff Gordon, bart., to Lucie, only child of John Austin, esq.

19. At Loughton, J. G. Goddard, esq., son of the venerable archdeacon Goddard, of Ibstock, Leicestershire, to Sarah Sophia, daughter of the late David Powell, esq., of Loughton, Essex.

21. At St. George's, Hanover-square, lieut.-col. Pratt, to Hester, youngest dau. of the late bishop of Ely.

23. At St. Marylebone Church, John Murray, esq., eldest son of James Murray, esq., of Philiphaugh, Selkirkshire, to Miss Nesbitt, only daughter and heiress of the late W. A. Nesbitt, esq., of Bombay.

28. At Gretna-hall, and afterwards at St. Mary's Church, Marylebone, on the 2nd June, the viscount Drumlanrig, only son of the marquess of Queensberry, to Caroline Margaret, younger daughter of lieut.-col. sir William Robert Clayton, bart., M.P., of Gloucester-place, Portman-square.

JUNE.

2. At St. George's, Hanover-square, sir George Baker, bart., of Laventor, Devon, to Mary Isabella, second dau. of the late Robert Nassau Sutton, esq.

4. At Dryburgh Abbey, John Gordon, esq., of Aikenhead, Lanark, to the lady Isabella Erskine, second dau. of the right hon. the earl of Buchau.

9. At Exeter, Stafford Trehawke Kekewich, esq., of Peasmore, Devon, to Louisa, eldest daughter of Lewis Wm. Bucke, esq., M.P., of Moreton and Hartland-abbey, in the same county.

17. At Teston, Kent, T. P. Methuen, esq., barrister-at-law, to Matilda Gertrude, eldest daughter of the late lord Edward O'Bryen.

— At Cheltenham, the rev. William Windsor Berry, M.A., vicar of Stanwell, Middlesex, to Arethusa, youngest dau. of the late admiral sir Charles Brisbane, K.C.B., &c.

24. At St. Mary's, Bryanston-square, Corbet Smyth, esq., of Bittiswell-hall, Leicester, to the hon. Emily St. John, daughter of the viscount Bolingbroke.

25. At St. George's, Hanover-square, John Balfour, esq., of Balbirnie, Fife, to lady Georgiana Campbell, second daughter of the earl of Cawdor.

— At St. George's, Hanover-square, captain Griffith, of Padworth-house, Berks, to Lucinda, eldest daughter of the hon. the baron Dimsdale.

27. At Wolverhampton, Robt. Hook, second son of the late dean of Worcester, to Katharine, widow of maj.-gen. sir Henry F. Cooke, K.G.H., of Harefield-park, Middlesex.

— At St. George's, Hanover-square, sir Thomas Pelham Hayes, bart., to Caroline Emma, widow of the late lieut.-col. Hill Dickson.

28. At the New Zealand Company's principal settlement, Wellington, Port Nicholson, James, son of Mr. Taine, of Greenwich, to Liocadia, eldest daughter of Senor Jodo Simoes de Oliveira, of Lisbon.

JULY.

2. At Pont Bleiddin, the hon. Charles

MARRIAGES.

Napier, brother of the late lord Napier, to Annabella Jane, only daughter of colonel Gatacre, of Gatacre, Salop.

4. At St. Marylebone church, James Nevill Heard, esq., to the lady Charlotte Turnour, sister of the earl of Winterton.

— At St. James's Church, Arthur Shirley, esq., second son of E. J. Shirley, esq., M.P., of Eatington-park, Warwickshire, to Christini, youngest daughter of James Wardrop, esq., M.D., of Charles-street, St. James's-square.

8. At St. George's, Hanover-square, colonel Frederick Clinton, second son of general sir W. H. Clinton, to the hon. Mary Margaret Montague, second daughter of lord Montague.

13. At Hove, Sussex, lieut.-gen. sir Thomas Bradford, G.C.B., to Anne Elizabeth, Widow of the late B. Goad, esq., of Harley-street.

14. At St. Mary-le-bone, Robert John St. Aubyn, esq., to Lavinia Sophia, youngest daughter of the late Charles Leicester, esq., of Stanthorne Hill, Cheshire, brother of the late lord De Tabley.

— At Edinburgh, William Douglas Dick, esq. of Pitkerro, Forfar, to Jane Hay, youngest daughter of sir Francis W. Drummond, of Hawthornden, bart.

16. At St. George's, Hanover-square, T. A. Anstruther, esq., third son of the late sir Alexander Anstruther, to Sophia Vansittart, youngest daughter of the late Arthur Vansittart, esq., of Shottesbrook, Berks.

— At Ashbourne, Derbyshire, the rev. William N. Hooper, to Lucy, second daughter of sir Matthew Blakiston, bart., of Sandybrooke-hall.

21. At Sion House, the rev. Mr. Lockwood, to Miss Percy, eldest dau. of the bishop of Carlisle.

22. At Fulmer-place, Berks, according to the rites of the Catholic church, Charles Bedingfeld, esq., second son of the late sir Richard Bedingfeld, bart., of Oxbrough-hall, Norfolk, to Agnes, daughter of the late Christopher Waterton, esq., of Woodlands, York.

— At Bedworth, Warwickshire, J. Bradshawe Isherwood, esq., of Marple and Wyberslegh-halls, Chester, and Bradshawe Hall, Lancaster, to Mary Ellen, second daughter of the rev. Henry Bellairs, rector of Bedworth, and vicar of Hunsingore, York.

— At Dewsbury, Cheshire, Thomas George Skipwith, esq., eldest son of sir Gray Skipwith, bart, to Emma, youngest daughter of the late Thomas Watton, esq., of Liverpool.

25. At the Spanish Chapel, and afterwards at Devonshire-house, lord Leveson, to the widow of sir Ferdinand R. E. Acton, bart., of Aldenham, Shropshire.

28. At St. Mary's Bryanstone-square, Henry Turnor, esq., to the hon. Marianne Bosvill Macdonald, sister to lord Macdonald.

— At St. George's, Hanover-square, sir James Campbell, of Aberne-hill, bt., to Caroline, daughter of rear-admiral sir Robert Howe Bromley, bart.

— At St. James's Church, W. H. Penrose, esq., of Lahene, Cork, to the hon. Georgiana Isabella Keane, second daughter of lord Keane.

— At Hunstanton, Norfolk, capt. W. C. J. Campbell, youngest son of the late lieut.-col. W. Campbell, to Armine Le Strange, youngest daughter of the late Henry Styleman, esq., of Snettisham.

29. At St. Mary's, Bryanston-square, Arthur Stewart, esq., youngest son of the hon. E. Stewart, to Mary, youngest daughter of the late rev. Dr. Madan, prebendary of Peterborough.

Lately, at Southpark, Roscommon, Morgan O'Connell, late M.P. for the county of Meath, to Kate Mary, dau. of the late Michael Balfe, esq.

AUGUST.

3. Major R. E. Burrowes, to Frances Catherine, eldest daughter of the late hon. sir Robert le Poer Trench.

4. The rev. E. E. Wilmot, son of sir Eardley Wilmot, bart., to Frances Anne, daughter of the late rev. C. Ekins, canon of Salisbury.

6. At Valetta, lieut. E. W. Stopford, R. N., son of the hon. R. B. Stopford, canon of Windsor, to Julia Maria, niece of George Wilbraham, esq., M.P.

— At Much Marcle, the rev. H. Huntingford, canon residentiary of Hereford cathedral, to Eugenia Jane, third dau. of the rev. K. E. Money.

10. At St. George's, Hanover-square, the right hon. lord Carrington, to the hon. Miss Drummond Willoughby.

11. At St. George's, Hanover-square, Henry Beauclerk, esq., to Louisa, eldest daughter of sir George Wombwell.

17. At Florence, the hon. H. A.

MARRIAGES.

Savile, second son of the earl of Mexborough, to Catherine, third daughter of the late Kingsmill Pennefather, of Newpark, Tipperary.

18. At Wilton, the earl of Shelburne, son of the marquess of Lansdowne, K.G., to Georgiana, fifth daughter of the late earl of Pembroke.

— At Theydon-mount, Henry Bullock, esq., eldest son of Jonathan Bullock, esq., of Faulkbourne-hall, Essex, to Cicely-Abigail, eldest daughter of sir E. B. Smyth, bart.

19. At Dundee, Robert Jebb, esq., third son of the late hon. Richard Jebb, second justice of the court of King's-bench in Ireland, to Emily Harriett, youngest daughter of the very rev. Dean Horsley, and grand-daughter of the late bishop of St. Asaph.

20. At Southampton, the right hon. lieut.-gen. lord Keane, G.C.B., G.C.H., to Charlotte, youngest daughter of the late lieut.-col. Boland.

29. At Swansea, W. G. Craig, esq., M.P. eldest son of sir James Gibson Craig, of Riccarton, bart., to Betsy, daughter of H. Vivian, esq., of Singleton, M.P.

31. At St. Margaret's, the hon. H. R. H. Gage, eldest son of viscount Gage, to Sophia, only daughter of sir Charles Knightley, bart., of Fawsby, Northamptonshire.

Lately, at Edinburgh, George, second son of J. B. Lennard, esq., of Belhus, Essex, to Jessie Drummond, dau. and co-heiress of J. M. Drummond Nairne, esq., of Dunsinane-castle, Perthshire.

SEPTEMBER.

1. At Cheltenham, Samual Walker, esq., of the Grange, Leicestershire, to Elizabeth, second daughter of the late hon. sir Robert Le Poer Trench.

— At St. Pancras, the rev. Thomas, eldest son of the late hon. and venerable Charles Knox, archdeacon of Armagh, to Eliza Winckworth, eldest daughter of the late Ellis Bent, esq., judge-advocate of New South Wales.

At the same time and place, C. G. Knox, of Lincoln's-inn, barrister, third son of the late hon. and venerable the archdeacon of Armagh, to Isabella Hannah, youngest daughter of the late Ellis Bent, esq.

— At Marylebone Church, the rev. George Chetwode, son of sir John Chetwode, bart., of Oakley-park, Staffordshire, to Mrs. Leslie Jones, dau. of the late Dr. Shipley, dean of St. Asaph.

— At Ashwell, Herts, the rev. John Byng, vicar of Langford, Bedfordshire, and grandson of John visc. Torrington, to Willamina Hebe, fifth daughter of the rev. Henry Morice.

8. At Exeter, the rev. E. C. Phillpotts, third son of the bishop of Exeter, to Georgiana Lukin, fourth daughter of the late rev. R. F. Hallifax, rector of Richards Castle, Herefordshire.

9. At St. James's Church, sir John Rae Reid, bart., M.P., to Maria Louisa, only daughter of Richard Eaton, esq., of Stretchworth-park, Newmarket.

10. At St. John's, Paddington, W. P. Croughton, esq., of Hesendon-house, Kent, to Mary, only daughter of the late Robert Peel, esq., of Accrington-house, Lancashire.

— At St. James's Church, the hon. Edward Kenyon, second son of lord Kenyon, to Susan, youngest daughter of the late lord George Beresford.

23. At Edinburgh, Alex. Mitchell Innes, esq., eldest son of William Mitchell Innes, esq., of Parson's-green, to Charlotte Gordon, third daughter of sir Thomas Dick Lauder.

26. At Marylebone Church, Thomas Fortescue, esq., M.P., of Ravensdale, to the lady Louisa Butler, sister of the marquess of Ormond.

29. At Paxton-house, Berwick, the hon. Charles St. Clair, R.N., second son of lord Sinclair, to Isabella Jane, youngest daughter of William F. Home, esq., of Paxton.

OCTOBER.

1. At St. George's, Hanover-square, lord Seaford, to lady Hardy, widow of vice-admiral sir Thomas Hardy, late governor of Greenwich-hospital.

— At St. Pancras, New Church, capt. Sydney C. Dacres, R.N., son of the late vice-admiral sir Richard Dacres, C.C.H. to Emma, daughter of John Lambert, esq., of Tavistock-square.

3. At Gorhambury, the viscount Folkestone, eldest son of the earl of Radnor, to the lady Mary F. Grimston, third daughter of the earl Verulam.

4. Henry Woodman, esq., of Rickmansworth, to Mary Ann, eldest dau. of George Alfred Muskett, esq., M.P., of the same place.

5. At Leamington, William Fitzwil-

MARRIAGES.

liam Barton, esq., of Barton-hall, Carlow, to Eleanor Mary, daughter of the late William and lady Charlotte Brown.

15. At Ilston, Leicestershire, Thomas Bell, esq., youngest son of lieut.-col. Bell, C.B, to Henrietta Susan, only daughter of the late sir Arthur Grey Hazelrigg, bart., of Noseley-hall.

17. At Florence, G. S. Gough, esq., only son of major-gen. Hugh Gough, K.C.B., K.C.S., Rathrouan-house, Tipperary, to Sarah Elizabeth, daughter of lieut.-col. Palliser, of Comragh, Waterford.

12. At St. Pancras Church, Thomas Tyringham Bernard, esq., second son of the late sir Scrope Bernard Morland, bart., to Martha Louisa, second dau. of the late William Minshull, esq., of Kentish Town.

20. At Cheltenham, lieut--gen. sir William Paterson, K.G.H., to Miss Michael, of Paragon-parade.

22. At St. John's Wood, the Chevalier William de Viry, equerry to the king of Sardinia, to Emily, daughter of Basil Montagu, esq., Queen's Counsel.

27. At St. Pancras Church, the rev. William Knight, rector of Steventon, Hants, son of Edward Knight, esq., of Godmersham-park, Kent, to Mary, youngest daughter of the late rev. Edw. Northey, of Woodcot-house, Surrey.

29. At St. James's, Hambleton Francis, eldest son of Hambleton Custance, of Weston-house, Norfolk, to Frances, widow of the rev. Henry Walpole Nevill, and youngest daughter of sir Edmund Bacon, bart.

— At Leamington, Warwickshire, the rev. Arthur Isham, rector of Weston Turville, Bucks, to Charlotte Elizabeth, youngest daughter of the late hon. sir Patrick Murray, bart., of Ochtertyre.

NOVEMBER.

3. At Wretham, Norfolk, H. F. Broadwood, esq., second son of T. S. Broadwood, esq., of Lyne, Surrey, to Juliana Mary, daughter of Wirley Birch, esq., of Wretham-hall.

— At Lambeth-palace, the rev. W. P. Ward, son of the late bishop of Sodor and Man, rector of Compton Valence, Dorset, to Anna Maria, relict of Charles M. Williams, esq., and daughter of sir Samuel Scott, bart., of Sundridge-park, Kent.

— At St. George's, Hanover-square, Prideaux Selby, esq., of Paston, Northumberland, to Harriet, second daughter of sir William Beauchamp Proctor, bart., of Langley-park, Norfolk.

5. At Taymouth, viscount Haddo, eldest son of the earl of Aberdeen, to Mary, second dau. of George Baillie, esq., of Jerviswoode.

6. At St. Martin's Church, the rev. Heneage Drummond, to Cecil Elizabeth, daughter of Andrew Mortimer and lady Emily Drummond.

9. At Isleworth, Henry, son of rear-admiral lord George Stuart, to Cecilia, fourth daughter of Charles Hammersley, esq.

10. At Kilgraston-house, Perthshire, the hon. captain D. H. Murray, brother of the earl of Mansfield, to Miss Grant, only child of John Grant, esq., of Kilgraston.

— At Southampton, C. S. Grey, esq,, youngest son of the late hon. sir George Grey, bart., to Laura Mary, fourth daughter of C. A. Elton, esq., of Clevedon-court, Somersetshire.

17. At Hedsor, E. H. Hussey, esq., son of Edward Thomas Hussey, esq., of Galtrim, Meath, to the hon. Frederica Irby, fourth daughter of lord Boston.

19. At All-Saints, West Ham, J. H. Pelly, esq., eldest son of sir J. H. Pelly, bart., of Upton, Essex, to Johannah, youngest daughter of the late John Carstairs, esq., of Stratford-green, Essex.

23. At Stanmore Church, C. E. Law, esq., son of the hon. C. E. Law, M.P., to lady Eleanor Howard, daughter of the earl of Wicklow.

24. Sir G. F. Johnstone, bart., to lady Louisa Craven, only daughter of the late earl Craven.

26. At St. George's, Hanover-square, John Simeon, esq., eldest son of sir Richard Simeon, bart., of Swainston, Isle of Wight, to Jane Maria, only dau. of the late sir F. F. Baker, bart., of Loventor, Devon.

28. Hon. Richard Denman, M.A., of Trinity College, Cambridge, third son of lord Denman, to Emma, youngest daughter of Hugh Jones, esq., of Larkhill, West Derbyshire.

Lately, at Fort George, N.B., W. B. Gardner, esq., R.A., eldest son of maj.-gen. the hon. W. H. Gardner, to Eliza, daughter of col. sir Alexander Anderson, C.B.

— At Ootacamund, in India, Hatley Frere, esq., M.C.S., nephew of the right

PROMOTIONS.

hon. J. Hookham Frere, to Theodora, daughter of the lord bishop of Madras.

DECEMBER.

29. At Marylebone, Henry James Baillie, esq., M.P. for Inverness-shire, to the hon. Phillippa Sydney-Smythe, eldest daughter of viscount Strangford, G.C.B.

PROMOTIONS.

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JANUARY.

GAZETTE PROMOTION.

21. Major-gen. sir W. Cotton, K.C.B. to be G.C.B.

CIVIL PREFERMENTS.

J. Manning and J. Halcombe, esqrs. of the Western circuit; W. F. Channell and W. Shee, esqrs. of the Home circuit; and E. C. Wrangham, esqr. of the Northern circuit, to the degree of sergeants-at-law.

D. Maclise, W. F. Witherington, and S. A. Hart, esqrs. elected royal academicians, *vice* sir W. Beechey, C. Rossi, and W. Wilkins, deceased.

M. O'Connell, esq. to be first assistant registrar of deeds for Ireland.

FEBRUARY.

GAZETTE PROMOTIONS.

1. Master H. W. J. Byng to be page of honour to her majesty, *vice* Cavendish.

4. The earl of Listowel to be one of the lords in waiting to her majesty.

6. His serene highness Francis Albert duke of Saxe, prince of Saxe Coburg and Gotha, K.G. to be styled and called "his royal highness," before his name and such titles as now do, or hereafter may, belong to him.

7. His royal highness Francis Albert duke of Saxe, prince of Saxe Coburg and Gotha, K.G. to use and bear the royal arms, differenced with a label of three points argent, the centre point charged with the cross of St. George, quarterly with the arms of his illustrious house, the royal arms in the first and fourth quarters.

19. Knighted, T. Wilde, esq. her majesty's solicitor-general; and W. Martins, esq. gent. usher of the sword of state.

—. Knighted, the hon. E. Butler, lieut. of her majesty's corps of gentlemen at arms.

22. J. M. Kemble, esq. to be examiner of all plays, or any other entertainment of the Stage, in the room of (his father) C. Kemble, esq. resigned.

24. T. N. Harris, esq. to be one of the grooms of her majesty's privy chamber in ordinary, *vice* S. H. Paget, esq. resigned.

25. Lord R. Grosvenor to be groom of the stole; Mr. G. E. Anson, treasurer; lord G. Lennox and viscount Borringdon, gentlemen of the bedchamber; lieut.-col. Bouverie, Royal Horse Guards Blue, and lieut.-col. Wylde, R. Art. to be equerries; and gen. sir G. Anson, G.C.B. and lieut. F. Seymour, 19th reg. to be grooms of the bedchamber, to his royal highness prince Albert.

Baron Crofton elected one of the Irish representative peers, in the room of the late earl of Kingston.

MEMBERS RETURNED TO PARLIAMENT.

Denbigh county.—Hon. H. Cholmondeley.

Meath county.—M. E. Corbally, esq.

Rutland.—Hon. C. G. Noel.

MARCH.

GAZETTE PROMOTIONS.

5. His royal highness Francis Albert Augustus Charles Emanuel duke of Saxony, prince of Saxe Coburg and Gotha, K.G. her majesty's consort, shall henceforth, upon all occasions and in all meetings, except where otherwise provided for by act of parliament, have, hold, and enjoy place, pre-eminence, and precedence next to her majesty.—The hon. E. L. Mostyn sworn lord-lieut. of the co. of Merioneth, and M. Biddulph, esq. lord-lieut. of the co. of Denbigh.

6. His royal highness prince Albert invested with the ensigns of a Knight Grand Cross of the Bath.

Knighted, T. Marrable, esq. secretary to the Board of Green Cloth.

PROMOTIONS.

9. A. Y. Spearman, esq. late assistant secretary to the treasury, created a bart. of the United Kingdom. S. H. Paget, esq. to be police magistrate at Gibraltar. A. B. J. Clogstoun, esq. to be marshal of Trinidad.

13. A. Stockenstrom, of Maas Strom, Cape of Good Hope, esq. captain in the army, created a bart. of the United Kingdom.

The 11th regt. of Light Dragoons to be armed, clothed, and equipped as Hussars, and be styled the 11th (or prince Albert's Own) Hussars.

17. The hon. R. Abercomby to be envoy extraordinary and minister plenipotentiary to the king of Sardinia; the hon. W. T. H. F. Strangways to be her majesty's envoy extraordinary and minister plenipotentiary to the Germanic Confederation.

18. James-Henry-Robert duke of Roxburghe, and Archibald-John earl of Roseberry invested with the Order of the Thistle.

Knighted, major R. H. Bonnycastle, of the Royal Engineers.

20. Knighted by patent, R. B. Clarke, esq. solicitor-gen. in Barbadoes.

30. The dignity of a duchess of the United Kingdom granted to the right hon. lady C. L. Underwood, (eldest surviving daughter of A. Saunders, second earl of Arran, by Elizabeth, his third wife, daughter of R. Underwood, late of Dublin, esq.) by the title of duchess of Inverness.

Naval Promotion.

The hon. G. Elliot, C.B. to be commander-in-chief in the East Indies.

Members returned to Parliament.

Helston.—J. Basset, esq.
Inverness burghs.—J. Morrison, esq.
Lewes.—Lord Cantilupe.
Morpeth.—Lord Leveson.
Perthshire.—H. H. Drummond, esq.
Woodstock.—F. Thesiger, esq.

Civil Preferments.

D. Dundas, esq. to be queen's counsel.

Rev. S. Reay, to be Laudian professor of Arabic, Oxford.

APRIL.

Gazette Promotions.

4. G. Napier, esq. advocate, to be sheriff depute of Peebles, *vice* J. Wood, esq. resigned.

6. Knighted, lieut.-col. C. Chichester, 81st Foot, Brigadier-gen. in the service of the queen of Spain, K.S.F., &c.

18. The lieut.-governor of the Bahama Islands, col. F. Cockburn, to be governor and commander-in-chief of the said Islands.

25. Lieut.-col. the hon. G. R. Abercromby to be lieut. and sheriff principal of the shire of Clackmannan.

Naval Promotions.

The following officers, now extra aides-de-camp, are appointed to be full Naval aides-de-camp to the Queen:—Captains J. W. D. Dundas, C.B., H. Hope, C.B., sir J. Pechel, bart., K.C.H. C.B.

Members returned to Parliament.

Inverness county.—H. J. Baillie, jun. esq.
Sutherland county.—D. Dundas, esq.
Totness.—B. Baldwin, esq.

Ecclesiastical Preferments.

Rev. T. Garnier, B.C.L. to be dean of Winchester.

Rev. J. C. Hare, to be archdeacon of Lewes.

Right hon. and rev. lord W. Russell, to be canon of Windsor.

Civil Preferments.

Rev. F. Hodgson, provost of Eton.

Rev. G. F. W. Mortimer, to be head master of the city of London school.

MAY.

Gazette Promotions.

9. J. Ivory, esq., to be one of the lords of session in Scotland.—T. Maitland, esq. advocate, to be solicitor-general for Scotland.

20. Capt. sir E. Lyons, knt. minister plenipotentiary at Athens, created a bart. of the United Kingdom.

22. Major-general sir E. Bowater, G.C.H., to be one of the equerries of H.R.H. prince Albert.

26. E. Horsman, esq., to be one of the lords of the Treasury.

PROMOTIONS.

27. G. Spiers, esq. to be sheriff-depute of the shire of Edinburgh.

H. W. des Voeux, esq., to be one of the gentlemen ushers daily waiters in ordinary to her Majesty.

Civil Preferments.

R. Moore, esq. Q.C., to be serjeant-at-law in Ireland, in the room of Mr, Curry, now master in chancery.

JUNE.

Gazette Promotions.

5. C. Innes, esq., to be sheriff-depute of the shires of Elgin and Nairn, *vice* Speirs.

6. Colonel J. G. Baumgardt, 2nd Foot; lieut.-col. J. Pennycuick, 17th Foot; lieut.-col. R. Carruthers, 2nd Foot; and major A. C. Peat, Bombay Eng., to be companions of the order of the Bath.

13. Sir T. Willshire, K.C.B., colonel in the army, created a baronet of the United Kingdom.

16. Brevet major sir Alex. Burnes, knt, of the 21st Bombay N. Inf., to be a companion of the Bath.

19. R. Langslow, esq., to be one of the judges of the district court of Colombo in the Island of Ceylon.

20. Lieut.-gen. the right hon. sir F. Adam, lieut.-gen. sir B. D'Urban, and lieut.-gen. sir A. F. Barnard, to be knights grand cross of the Bath.

Naval Promotions.

Vice-admiral sir H. Digby, K.C.B., to be commander-in-chief at Sheerness. —Rear-admiral sir E. D. King, K.C.H., to be commander-in-chief at the Cape of Good Hope.

Members returned to Parliament.

Cockermouth.—E. Horsman, esq., re-elected.

Radnor county.—Sir J. Walsh, bart.,

Sudbury.—G. Tomline, esq.,

The earl of Lucan, elected a representative peer of Ireland.

Ecclesiastical Preferments.

Hon. and rev. W. Herbert, to be warden of Manchester.

JULY.

Gazette Promotions.

1. Knighted, J. Adolphus, esq., M.D., inspector-general of army hospitals, in the Island of Jamaica.

— The Earl of Aboyne to be one of the lords in waiting to her majesty, *vice* visc. Falkland.

Knighted, the right hon. W. S. Clark, lord mayor of York; J. Walmsley, of Wavertree-hall, co. Lancashire, esq., mayor of Liverpool; W. Lowthrop, esq., mayor of Hull; J. W. Williams, esq., F.R.S. mayor of Portsmouth; T. Potter, esq., mayor of Manchester; R. Pendlebury, esq., alderman and late mayor of Stockport; J. Fife, esq., late mayor of Newcastle; A. M. Downie, esq., M.D. physician to her late R. H. the Landgravine of Hesse Homburg; and J. Hare, esq., of Springfield, co. Somerset.

Rear-admiral sir J. Brenton, bart. and K.C.B., to be vice-admiral of the blue.

C. D. Day, esq., to be solicitor-general in Lower Canada.

2. C. Warner, esq., to be solicitor-general in Trinidad.—R. Bernard, esq., to be advocate-general and crown solicitor in South Australia.

4. Admirals sir W. Hotham, and sir J. Rowley, bart., and vice-admirals sir C. Rowley, bart., and sir D. Milne, to be knights grand cross of the Bath.—Vice-admiral J. West, and rear-admirals sir C. Dashwood, knt. sir J. W. Loring, knt. C.B., sir R. Barrie, knt. C.B., sir J. Hillyar, knt. C.B., and lord W. Fitzroy, C.B., to be knights commanders; and captains C. Gordon (a), C. Dilkes, W. Goate, T. T. Tucker, C. Bell, H. Weir, and G. Le Geyt, R.N. to be C.B.

6. Created baronets of the United Kingdom.—T. F. Buxton, of Belfield, co. Dorset, esq.; J. Stuart, esq., chief justice of the province of Lower Canada; J. H. Pelly, of Upton, co. Essex, esq.; and J. P. Bruce, Chichester, of Arlington court, co. Devon, esq.

Rear-admiral sir J. A. Gordon, K.C.B. to be lieut.-governor of Greenwich Hospital.

9. R. Handyside, esq., advocate, to be sheriff-depute of Stirling.

16. C. Locock, M.D. to be first physician accoucheur to her majesty; R. Ferguson, M.D. to be second physician;

PROMOTIONS.

and R. Blagden, esq., to be surgeon accoucheur.

Captain C. Boyle, R.N., nephew to the earl of Cork, appointed groom of the chamber to his royal highness prince Albert.

24. Knighted, by the lord-lieutenant of Ireland, R. Franklin, esq., lord mayor of Dublin.

27. The following regiments, viz. 4th light dragoons, 16th light dragoons, 2nd foot, 13th, and 17th foot, to bear on their second or regimental colours, and also on their appointments, the words "Affghanistan," and "Ghuznée." The 2nd and 17th regiments of foot to bear the word "Khelat."

MEMBER RETURNED TO PARLIAMENT.

Cumberland (*East.*)—Hon. C. W. G. Howard.

ECCLESIASTICAL PREFERMENT.

Rev. C. Thirlwall, to be bishop of St. David's.

AUGUST.

GAZETTE PROMOTIONS.

7. Knighted, J. J. Reid, esq., chief justice of the Ionian Islands.

10. The right hon. C. P. Thomson, governor-general of her majesty's provinces of North America, created baron Sydenham, of Sydenham, co. Kent, and of Toronto; in Canada.

The earl of Lovelace to be lord-lieut. of the co. of Surrey.

11. Timothy Yates Brown, esq. to be consul for the Duchy of Genoa.

Sir James Clark, bt. M.D. F.R.S., and Henry Holland, M.D. F.R.S., to be physicians in ordinary to his royal highness prince Albert; John Forbes, M.D. F.R.S., and Theodore Gordon, M.D., to be physicians extraordinary; sir Benjamin Brodie, bart., F.R.S., Benjamin Travers, esq. F.R.S., and Charles Aston Key, esq. to be surgeons in ordinary; and Alexander Nasmyth, esq., M.R.C.S., to be surgeon-dentist.

13. Captain H. Smith, R.N. to be a companion of the Bath.

15. Knighted, captain James Edward Alexander, lieut.-col. in the Portuguese service, and knight of the Lion and Sun.

— Lord Poltimore to be one of the lords in waiting to her majesty.

17. The under-mentioned retired rear admirals transferred to the active list of flag officers of her majesty's fleet:—*To be vice-admirals of the Blue*, John Chesshyre, esq. and B. R. Littlehales, esq.—*To be rear-admirals of the Red*, Charles Wollaston, esq., Charles Tinling, esq., sir George Mundy, Rich. Peacocke, esq., Nicholas Tomlinson, esq., and James Katon, esq.—*To be rear-admirals of the White*, Richard Poulden, esq., Peter Ribouleau, esq., Matthew Buckle, esq., John Allen, esq., James Noble, esq., F. H. Coffin, esq., Jeffery Baron de Raigersfeld, C. J. W. Nesham, esq., John Wight, esq., H. F. Edgell, esq., William Butterfield, esq., William Young, esq., Jacob Walton, esq., B. M. Praed, esq., Samuel Motley, esq., Edward W. Browne, esq. J. R. Smollett, esq., hon. William Le Poer Trench, Edward S. Clay, esq., Charles Carter, esq., William H. B. Tremlett, esq., Samuel Butcher, esq. *To be rear-admirals of the Blue*, Matthew Godwin, esq., sir Salusbury Davenport, knt. C. B. and K. C. H., Francis Temple, esq., Henry Gordon, esq., J. S. Carden, esq., J. W. Holland, esq., John Impey, esq., H. M. Ommaney, esq., Archibald Duff, esq., and the hon. major Jacob Henniker.

20. Lord visc. Falkland to be lieut.-governor of the province of Nova Scotia.

The right hon. John lord Keane, G.C.B., and his descendants, to bear to the armorial ensigns of his family the honourable augmentation following, viz. "On a chief, a representation of the strong and important fortress of Ghuznée," and a crest of honourable augmentation, "On a wreath, a representation of the Cabool gate of the said fortress of Ghuznée."

25. The right hon. Charles Baron Sydenham to be governor of the province of Canada.

CIVIL PREFERMENTS.

Maziere Brady, esq. to be chief baron of the Court of Exchequer in Ireland.

David Pigot, esq. to be attorney-general, Ireland; Richard Moore, esq. solicitor-general, Ireland; Dr. Stock, serjeant at law.

MEMBERS RETURNED TO PARLIAMENT.

Cavan County.—H. J. Clements, esq.

Louth County.—Thomas Fortescue, esq.

Surrey (*West*).—John Trotter, esq.

PROMOTIONS.

Ecclesiastical Preferments.

Rev. C. E. Gadsden to be bishop of South Carolina.

Rev. J. Calthorp to be archdeacon of Derby.

SEPTEMBER.

Gazette Promotions.

11. His royal highness prince Albert sworn of the Privy Council.

28. John Hindmarsh, esq., captain, R. N. to be lieut.-governor of Heligoland.

Members returned to Parliament.

Clonmell.—Right hon. D. R. Pigot, *re-elected.*

Waterford County.—Hon. R. S. Carew.

Ecclesiastical Preferments.

Rev. P. N. Shuttleworth, D.D. to be bishop of Chichester.

Rev. G. Waddington, D.D., dean of Durham.

Rev. W. H. Hale, to be archdeacon of Middlesex.

Rev. J. Bartholomew, to be canon of Exeter.

Civil Preferment.

John Romilly, esq. to be a master in Chancery.

OCTOBER.

Gazette Promotions.

5. Robert Nicholas Fynn, esq. to be chief justice of Tobago.

15. John Jeremie, esq. to be governor of Sierra Leone, and Owen Flintoff, esq. chief justice of the same colony.

16. Miles Thomas Stapleton, of Carlton, co. York, esq. summoned by writ to the house of peers, by the title of baron Beaumont, he being the sole heir of Joan Lovel lady Stapleton, eldest daughter of Joan sister of William viscount and baron Beaumont, in whom the barony of Beaumont was vested by descent from his father, John Baron Beaumont, who sat in parliament in the reign of Henry VI,

— James Carey, esq., to be registrar of deeds at the Cape of Good Hope.

19. Ogle Carr, esq. to be first puisne judge, James Stark. esq., second puisne judge, Arthur Buller, esq , queen's advocate, and Christopher Temple, jun. esq. deputy queen's advocate, all in the Island of Ceylon.

— Richard Boynton Wood, esq. to be surveyor-general and civil engineer in the colony of Sierra Leone.

— Robert Schomburgh, esq. to be her majesty's commissioner for surveying and marking out the boundaries of British Guiana.

20. The Earl of Clarendon, G.C.B. to be chancellor of the Duchy of Lancaster.

Naval Promotions.

Admiral sir J. Ommaney, to be second in command in the Mediterranean.

Members returned to Parliament.

Carlow County.—Henry Bruen, esq.

Mayo County.—Mark Blake, esq.

Ecclesiastical Preferments.

Rev. R. Daly to be dean of St. Patrick's.

Rev. G. P. Burney, D.D. to be archdeacon of St. Alban's.

Rev. F. B. Twistleton, D.C.L. to be a canon residentiary of Hereford.

Civil Preferments.

The duke of Northumberland, to be chancellor of the University of Cambridge.

The rev. P. Wynter, D.D. to be vice-chancellor of the University of Oxford.

Dr. Williams (master of Winchester), to be warden of New College, Oxford.

Ald. Thomas Johnson, to be lord mayor of London (after a contest, in which the return of the livery was, ald. Harmer, 2294; Ald. Johnson, 2713; Ald. Pirie, 2741.

Mr. Ald. Gibbs and Mr. Farncomb, to be sheriffs of London and Middlesex.

PROMOTIONS.

Mr. W. Spalding, to be professor of rhetoric and Belles Letters in the University of Edinburgh.

NOVEMBER.

GAZETTE PREFERMENTS.

5. Knighted, John Jeremie, esq., captain-gen., and governor in chief of Sierra Leone.

9. The hon. W. H. A. Fielding to be a page of honour to the queen dowager.

11. Lt.-gen. sir A. F. Barnard, G.C.B. and G. C. H. to be clerk marshall to the queen dowager.

12. The undermentioned retired rear admirals transferred to the active list of flag-officers; to be admiral of the White, sir R. Barlow, K.C.B.; to be admirals of the Blue, W. Shield, esq., and F. Watkins, esq.; to be vice-admirals of the Red, D'Arcy Preston, esq., Joseph Buller, esq.; vice-admirals of the White, H. Evans, esq., the hon. sir C. Boyle, K.C.H., G. J. Shirley, esq., and J. K. Shepard, esq.; vice-admirals of the Blue, sir R. L. Fitz-gerald, K.C.H., G. Barker, esq., and H. Garratt, esq.

16. Right hon. J. A. Stewart Mackenzie, to be lord high commissioner of the Ionian Islands.

17. Lieut.-general sir Colin Campbell, K.C.B., to be governor and commander-in-chief of Ceylon.

17. Sir Woodbine Parish, K.C.H., and Stephen Henry Sulivan, esq., to proceed to Naples as her majesty's commissioners, to liquidate certain claims of her majesty's subjects against the Sicilian government arising out of the late sulphur monopoly.

20. John Hobson, esq., capt., R.N., to be governor and commander-in-chief of the Islands of New Zealand.

— Lieut.-col. Richard Doherty to be lieut.-governor of the island of St. Vincent.

ECCLESIASTICAL PREFERMENTS.

Rev. — Armstrong to be minor canon of Exeter.

Rev. W. H. Hale (archdeacon of Middlesex), to be a canon of St. Paul's.

Rev. F. B. Twissleton, LL.D. to be canon of Hereford.

CIVIL PREFERMENTS.

Lord Lyndhurst to be high steward of the University of Cambridge (after a contest, lord Lyndhurst, 923, lord Lyttleton, 457).

Lord Francis Egerton, M.P., re-elected lord rector of the University of Aberdeen.

Rev. John Graham, D.D., master of Christ's College, to be vice-chancellor of Cambridge.

DECEMBER.

GAZETTE PROMOTIONS.

4. Commodore Charles Napier to be K.C.B.

7. Sir George Rose, knt. to be one of the masters in ordinary of the High Court of Chancery, *vice* lord Henley.

9. Master Herbert Lowther Wilson to be page of honour to her majesty.

11. Colonel William Wylde, R.A. to be C.B.

14. John Hamilton, earl of Stair, to be keeper of the seal appointed by the Treaty of Union, to be made use of in place of the great seal of Scotland.

15. George Grey, esq. to be governor and commander-in-chief of the province of South Australia, and resident commissioner of public lands.

16. Robert Power, esq. to be surveyor-general in the island of Van Diemen's Land.

DEATHS.

1839.

Oct. 11. Drowned in an attempt to reach the shore from the wreck of the Sunda, off the north coast of Hainan, in the China Seas, aged 55, James Ilbery, esq., of Clement's-lane, and Doughty-street. Also, in the same wreck, James Macpherson, esq., with his wife, and infant.

21. At Dumpledale, near Haverfordwest, Charles Phillips, esq., a post-captain R.N. and F.R.S. Captain Phillips was a son of the late Dr. George Phillips, of Haverfordwest. He entered the

DEATHS.

royal navy at an early age, and was engaged in active service, with scarcely any interval, up to the year 1812. In 1817, captain Phillips submitted to the admiralty a plan for propelling ships by the capstan; and, in 1819, another, for increasing the power of that machine by wheelwork, which was the basis of the improved capstan now bearing his name, and for which he had a patent. He was likewise the inventor of a method of suspending ship's compasses, so as to prevent their being affected by the firing of guns in action, or from any other concussion, and to ensure their preserving a horizontal position in all sorts of weather. In 1827 he applied the hydrostatic principle, of water rising to its own level, to the pumpdales of ships, by which they may be cranked under the lower deck, so as to free it from such a serious incumbrance, and yet to allow the water to deliver itself from the same height as before. The pumpdale of the Asia 84, was the first placed according to this plan. These inventions led to captain Phillips' appointment successively to the Spey, and the Ariadne, and orders have been issued for constructing all the power capstans in the royal navy according to his method.

Nov. 1. At his seat, Richings-lodge, near Coln-brook, aged 90, the right hon. John Sullivan, a privy councillor and formerly a commissioner of the Board of Control.

18. At Brighton, aged 75, Robert Rolles, esq., rear-admiral of the Red.

20. At Arromanza, one of the New Hebrides, being murdered by the natives, the rev. J. Williams, missionary, author of a volume of Missionary Travels; and Mr. Harris, missionary to the Marquesas.

26. At the Ryalls, near Seaton, Devonshire, aged 45, William Henry Baptist Proby, esq., commander R. N.

Lately. At King George's Sound, Western Australia, Sir Richard Spencer, knt., K.C H. and C.B., governor of that settlement, and a captain R. N.

Dec. 12. Drowned in crossing the Indus, from the upsetting of a boat during a heavy gale, captain William Hilton, 16th dragoons; together with nine privates of the same regiment.

— At his residence in the Royal Crescent, Bath, admiral sir William Hargood, G.C.B. and G.C.H.

19. In Dublin, aged 48, lieutenant-colonel Stephen Holmes, K.H. unattached, deputy inspector-general of constabulary in Ireland.

Lately. At Columbo, in Ceylon, in his 69th year, sir Charles Wyndham Burdett, the fifth baronet, of Acomb, co. York (1665); formerly a lieut.-col. in the army, and C.B.

30. On board his flag-ship the Wellesley, at sea in the vicinity of Bombay, in his 63rd year, rear-admiral sir Frederick Lewis Maitland, K.C.B., commander-in-chief in the East Indies. Sir Frederick Maitland was the third son of rear-adm. the hon. Frederick Lewis Maitland, of Rankeillour, (sixth son of Charles sixth earl of Lauderdale,) by Margaret Dick, heiress of Rankeillour and Lindores in Fife. He was born at Rankeillour, 1779; commenced his naval career at an early age, and was present in the Southampton at the memorable actions of May 29 and June 1, 1794. He accompanied earl St. Vincent as his flag-lieutenant to the Mediterranean in 1799, and was appointed by him to the rank of commander in the Cameleon sloop, with which he made several captures; and in December 1800, was promoted by lord Keith to the Waassenaar 64; but as that ship was lying at Malta, unfit for service, he obtained his lordship's permission to accompany the expedition then preparing against the French in Egypt, where his conduct in command of the armed launches employed to cover the landing of sir Ralph Abercromby's army, and in the subsequent battles of March 13 and 21, 1801, obtained him the thanks of the naval and military commanders-in-chief. In 1802 captain Maitland was appointed to the Loire, of 46 guns, and in November 1806, was transferred to the Emerald, a 36 gun frigate. During his command of these vessels he distinguished himself by the capture of a great number of the enemy's privateers. In March 1815, on the return of Napoleon Buonaparte from Elba, captain Maitland was somewhat suddenly appointed to the Bellerophon of 74 guns; and was soon after sent to watch the motions of two French Frigates and two corvettes, lying at Rochefort, off which place he detained a transport, having on board nearly 300 soldiers from Guadaloupe. When Buonaparte, after the battle of Waterloo, fled to Rochefort, and there formed numerous plans for his escape by sea, the whole of them were happily

frustrated by the vigilance of captain Maitland, and the detatchment under his orders. His hopes being at an end, Napoleon endeavoured to stipulate for his future treatment, but in vain; captain Maitland informing him that he had no authority whatever for granting terms of any sort; and that he could do nothing more than convey him and his suite to England, to be received in such a manner as the prince regent might think proper. Thus situated, the fugitive at length resolved to throw himself on the generosity of "the most powerful, the most constant, and the most generous of his enemies," and accordingly surrendered unconditionally to captain Maitland, on the 15th July. The Bellerophon arrived in Torbay in nine days after Buonaparte's surrender; and from thence proceeded to Plymouth, off which port he was removed to the Northumberland on the 7th August. Previous to his quitting the former ship he sent one of his attendants to her commander, proposing to present him with a gold box, containing his portrait set with diamonds, the value of which was said to be 3000 guineas; but the offer was declined by captain Maitland, who some time after addressed a letter to the Edinburgh Annual Register, correcting several misstatements contained in that publication respecting his prisoner. Captain Maitland was employed in the Vengeur 74, from 1818 to 1821, and sometime subsequently was appointed commander-in-chief in the East Indies, on which station he died. He was nominated a companion of the Bath in 1815; and a knight commander in 1830. He married in April 1804, Catherine, third daughter of Daniel Connor, esq., of Ballybricken, in the county of Cork, but had no issue.

31. At Trinity Lodge, Cambridge, aged 34, the rev. John Wordsworth, eldest son of the Master of Trinity college, and a Fellow of that society. Mr. Wordsworth was born at Lambeth; and after receiving at home the rudiments of his education, was sent in 1819 to Winchester school. He commenced residence as a student of Trinity college in 1824; a year subsequently distinguished by unusual success in the classical competitions of the University. In 1825 he was elected one of Dr. Bell's University scholars, and scholar of Trinity in 1826. In the same year he obtained the "Porson Prize" for an exercise pronounced by scholars to be one of more than ordinary merit; an extraordinary prize for a similar exercise was awarded to him in the following year, as well as honourable mention made of his "Greek Ode," which was ordered to be copied, together with that to which sir William Brown's medal was adjudged, into the public volume of University Exercises. He obtained also prizes for classical composition in his own college; and would undoubtedly have occupied a very high place in the classical honours of the Commencing Bachelors, if he had not been excluded from the competition by existing regulations. Mr. Wordsworth was elected a Fellow of Trinity in 1830, and continued generally to reside in college till 1833, when he visited the continent. In this journey Italy was his principal object; and during a prolonged stay at Florence he collated the MSS. of Æschylus in the Medicean Library, with such diligence and success as led him to devote himself, on his return, more particularly to the study and correction of that poet, with hopes of giving a much purer text than had hitherto been obtained. Some foretaste of what he would have done in this department of criticism, is to be found in a Review by him of Wellauer's Æschylus, published in the first volume of the *Philological Museum*. Soon after his return from his travels, he was appointed to the office of Assistant Tutor, and when the design of publishing the unedited papers and correspondence of Bentley was undertaken by the college, the conduct of that publication was committed to Mr. Wordsworth. Mr. Wordsworth was ordained deacon in June, 1837, and priest soon after, by the bishop of Ely. In the meantime, habits of laborious study had injured his health; and this, added to the desire of devoting himself wholly to classical literature, induced him to resign his office in the Tuition. He continued, however, to prosecute the studies he had chosen, and to collect materials for some works he had undertaken, till within a few weeks of his death. The papers relating to the *Bentley Correspondence* are understood to be in a state of forwardness. He had made some progress in the preparation of a *Classical Dictionary*, and left behind him much that is likely to be highly valuable to future editors of *Æschylus*, be-

sides a great variety of *Critical Adversaria*. The religious and moral character of the deceased corresponded to his intellectual qualities.

JANUARY.

1840.

1. In his 82nd year, col. Harry Compton, of Chateau de la Brere, France, and formerly of Wallop Lodge, Hants.

— At Woodside, aged 55, Richard Dickenson, esq. captain R.N. and C.B.

2. At Longfleet, Dorset, aged 57, Comm. Bartholomew Bonifant, R.N. He was a native of Corsica, and a schoolfellow of Napoleon Bonaparte. He obtained the rank of lieutenant in the British navy 1809; saw much service, and was highly esteemed as an excellent officer.

3. Aged 83, Dom Patricio da Silva, Cardinal Patriarch of Lisbon. He was originally a friar of the order of St. Augustine, and was successively Doctor of Theology, Professor of the same in the University of Coimbra, Fellow of the Royal Academy of Sciences, Bishop of Castello Branco, Archbishop of Evora, Secretary of State for Ecclesiastical Affairs and Justice, Cardinal, Patriarch of Lisbon, a Peer of the kingdom, and Vice-President of the Chamber of Peers.

4. At Wood House, near Chudleigh, aged 56, William Hill, esq. Post captain, R.N.

5. At Wynnstay, co. Denbigh, in his 68th year, sir Watkin Williams Wynn, the fifth baronet of that place (1688), lord lieut. of the counties of Denbigh and Merioneth, M.P. for Denbighshire, &c. &c. Sir Watkin W. Wynn, was the eldest son of sir Watkin, the fourth baronet, by his second wife, Charlotte, daughter of the right hon. George Grenville, and sister to George first marquess of Buckingham. He succeeded to the title and the large estates of his family, during his minority in 1789. At the general election of 1796 he was returned to Parliament for the county of Denbigh, and from that period continued to occupy it undisturbed, his influence being entirely predominant in his own county, in consequence of which he was often jocularly called the Prince of Wales. His rank, as a commoner of the first consideration, he preferred to a peerage, which was repeatedly offered to him. Sir Watkin supported Mr. Pitt's administration during the war with republican France, and was a consistent defender of the constitution in church and state. In Wales he was distinguished for unbounded hospitality, princely munificence, and great public spirit. He married, in 1817, lady Henrietta Antonia Clive, eldest daughter of Edward earl of Powis, and by her had issue two sons and one daughter. Sir Watkin had been for some time an invalid, and sunk under a spasmodic attack. His funeral took place on the 15th of January, when his body was deposited in the family mausoleum at Ruabon, on which occasion the park at Wynnstay was crowded by the tenantry and inhabitants of the surrounding villages, for many miles around, their number being estimated at 7,000.

6. At Bath, in her 88th year, Madame D'Arblay, a distinguished authoress of the last century. She was the second daughter of Charles Burney, Mus. D. author of the History of Music. Her mother died in 1761, when she was in her ninth year. To adopt her own words, she "was the only one of Dr. Burney's family who never was placed in any seminary, and never was put under any governess or instructor whatsoever." "At eight years of age she was ignorant of the letters of the alphabet, though at ten she began scribbling almost incessantly little works of invention, but always in private, and in scrawling characters illegible save to herself." The first public fruits of these habits, was the celebrated "Evelina," which appeared in 1778 and placed her at once at the head of the novel writers of the day—this was followed in 1782 by a second novel, entitled "Cecilia; or, the Memoirs of an Heiress;" which was welcomed with high approbation by the best literary judges. Her reputation, now at its zenith, introduced her to the notice of the royal family and through the recommendation of Mrs. Delany, to an office in the household of queen Charlotte. In 1786, she entered upon the duties of one of her majesty's keepers of the Robes; which she executed for five years, and then, her health having failed, was permitted to resign. Two years after, she became acquainted with M. Alexandre Piochard D'Arblay, a French

emigrant artillery officer, and, though the alliance seemed far from advantageous, in respect to fortune, Dr. Burney at length gave his consent, and the marriage took place in 1793. In the same year she published "Brief Reflections relative to the Emigrant French Clergy," 8vo. the profits of which she assigned for their benefit. In 1795 a tragedy of her composition was brought out at Drury Lane Theatre, entitled Edwy and Elgiva; but it was never printed. In 1796, she produced another novel, in five volumes, under the title of "Camilla, or a Picture of Youth." For this she obtained a subscription of 3,000 guineas, and the profits enabled "the hermits of Bookham," as she chose to style herself and partner, to erect a new hermitage on a piece of Norbury Park, given them by her friend Mr. Locke, and which was called Camilla Cottage. During the peace of 1802, M. and Madame D'Arblay quitted England for Paris, on the understanding that their absence was to last one year; but before the re-commencement of hostilities her husband had so far pledged his military allegiance to the emperor, that he could not in honour quit Paris when the English were ordered away. In 1812, during the absence of Napoleon in Russia, Madame D'Arblay found means to return to this country, barely in time to watch the last flickering beam of her father's life, who died in 1814, in his 87th year. She was subsequently joined by her husband, then general D'Arblay, who died at Bath in 1818. Their only child, the late rev. Alexander D'Arblay, was educated for the English church. He became a Fellow of Christ's College, Cambridge, and perpetual curate of Camden Town Chapel, and died unmarried 1837. Madame D'Arblay's last novel, "The Wanderer; or Female Difficulties," was published in 1814, in five volumes as its predecessors. She received for the copyright 1,500*l.*, but it was not so successful as her earlier, works. In 1832 she published "Memoirs of Doctor Burney," in three volumes 8vo; a work, which though indicating that failure of her literary powers which might have been expected from her advanced years, is full of valuable and amusing anecdote, respecting the literary personages of her time.

6. At Henllys Pwllhell, Wales, aged about 140 years (according to his own book), John Oliver. He had travelled the country for about a century, occasionally as a sieve and basket-maker, but generally as a repairer of clocks and watches.

9. At Christ Church Park, Ipswich, in the 76th year of his age, the rev. Charles William Fonnereau, LL.B. minister of St. Margaret's in that town, and vicar of Tuddenham St. Martin. In early life he served for several years in the royal navy, and was present in Rodney's celebrated action of the 12th April, 1782; being acting lieutenant of the Conqueror, which led into action on that day.

— At Kelburne Castle, the seat of the earl of Glasgow, in her 60th year, the right hon. Flora Mure Campbell-Rawdon-Hastings, marchioness dowager of Hastings; countess of Loudoun, &c. &c. She was the only child of major-gen. James fifth earl of Loudoun, by Flora, eldest daughter of John Macleod, of Rasay, co. Inverness. Her mother died in giving her birth; and her father in 1786, when she was only in her sixth year. She thereupon became a peeress of Scotland, by the title of Countess of Loudoun. She was married in 1804, to Francis Earl of Moira, then commander-in-chief of the forces in Scotland.

10. At Frankfort, in her 70th year, her royal highness Elizabeth, princess of England, dowager Landgravine of Hesse Homburg. The princess Elizabeth was born at Buckingham House on the 22nd May 1770, the seventh child and third daughter of king George the third and queen Charlotte. Her royal highness, when living in England unmarried, was always distinguished for the propriety of her conduct; the amiability of her manners, and her elegant accomplishments. She was much attached to the arts of design; and several of the productions of her pencil were published, accompanied by the poetical effusions of the minor bards of the day. In April 1818, the princess Elizabeth married his serene highness Frederick-Joseph-Louis, the hereditary prince of Hesse Homburg, who succeeded his father as Landgrave of Hesse Homburg, in January 1820; and died without issue April 1829, in his 60th year. As a widow, the Landgravine visited this country in 1835, but did not remain here. She preferred to become the benefactress of the country of her adoption, where she was highly and deservedly loved and respected. She

continued to reside at Hanover, where her brother, king William IV., had given her a palace. It was only during the last three years that she passed the winter at Frankfort. It was in this city that she sunk under an inflammation of the intestines. Her royal highness received from England the sum of 10,000*l.* a-year, out of which she assigned 6,000*l.* per annum to improve the finances of Hesse. When she gave her hand to the Landgrave, in consequence of the war, and other unfavourable circumstances, the little state was burdened with heavy debts. By means of her assistance, and by the judicious management of M. Ibel, the president, the debts are said to have been so well regulated, that the finances of the country are now in a good condition. The princess's funeral took place in the family mausoleum of the Landgraves, at Hesse Homburg, in the presence of the reigning Landgrave Philip, prince Gustavus, the duke of Nassau, and his brother prince Maurice, and other illustrious relatives.

15. At Cheltenham, from the effects of a fall from his horse, maj.-gen. sir George Teasdale, K. H.

16. At Lismullen-park, Ireland, in his 70th year. Sir Charles Drake Dillon, bt., a baron of the Holy Roman empire.

17. In the Isle of Man, aged 63, Mrs. Ann Gore, second daughter of the late rev. Dr. Gore, many years bishop of Limerick.

23. At Barton Grange, Somersetshire, aged 71, sir Frederick Grey Cooper, the sixth baronet, of Gogar, N. B. (1638).

— At Rothsay, Isle of Bute, aged 79, major-gen. sir James Campbell, K.C.H.

24. At his seat, Hornby-castle, near Lancaster, aged 84, Sandford Tatham, esq., a retired rear-admiral. During the latter years of his life admiral Tatham was engaged in one of the most memorable legal contests of modern times. Hornby-castle, near Leeds, the antient mansion of the Stanleys Lords Monteagle, was purchased in 1789 by John Marsden, of Wennington-hall, esq. from the earl of Charteris. Mr. Marsden died issueless, in 1826, appointing in his last will George Wright, esq. of Heysham, as his devisee in trust for the heir. The rev. Anthony Lister, of Wennington-hall, vicar of Gargrove, co. York, pursuant to Mr. Marsden's will, took the name of Marsden, and was reputed the successor to the property. Adm. Tatham claimed as cousin and heir in blood, disputing the sanity of the testator. At the first trial, at York assizes, the will was established; but further proceedings were taken, and the litigation was finally settled only in 1836, after eleven days' trial at Lancaster, when adm. Tatham entered with great rejoicings, upon the estate, the rental of which was estimated at nearly 7,000*l.*

26. At Locherbie-house, N.B. aged 65, the right hon. lady Catharine Heron Douglas, youngest daughter of sir Wm. Douglas, of Kelhead, bart., and sister to the marquess of Queensberry. She was raised to the rank of the daughter of a marquess in May 1837.

— At Hampton-court, in the house of her brother, Wm. S. Poyntz, esq., Charlotte-Louisa, widow of the hon. and rev. George Bridgeman, rector of Wigan.

28. At Rochester, aged 80, the hon. and rev. Jacob Marsham, D.D. canon of Windsor, and prebendary of Rochester and Wells; uncle of the earl of Romney.

— At Boldre-hill, near Lymington, aged 70, Augustus Brine, esq. a retired rear-admiral.

31. In Harley-street, aged 86, sir Josiah Champagné, G.C.H., a general in the army, and colonel of the 17th foot.

— At Paris, in her 70th year, lady Theodosia Bligh. She was the second daughter of John, third earl of Darnley, and married in 1790 T. C. Bligh, esq., by whom she has left a family.

Lately. Abroad, aged 60, John Trevanion Purnel Bettesworth Trevanion, esq. of Carhayes, Cornwall, colonel of the militia of that county.

— At Bologna, lady Sophia Butler, dau. of Brinsley earl of Lanesborough and lady Jane Rochfort, of the Belvidere family. Lady Sophia Butler was born in Dublin, 1769, and married in 1787 the Marchese Ludovico Marescotti.

— At Friburg, aged 69, Aloyse Mooser, the celebrated organ builder. His master-piece is the organ of the church of St. Nicholas in that town.

— Aged 88, Dr. Blumenbach, of Gottingen, one of the most distinguished philosophers and professors in that University.

— Aged 21, Mr. James Philpott, author of the Life and Travels of Mungo Park, recently published, and an extensive contributor to the Saturday Magazine.

— Mr. Rowland Bond, a lecturer and private teacher of geography and mathematical science; author of Modern and Popular Geography, and other elementary works.

— In West Claremont-street, aged 59, Mrs. Park, relict of the celebrated Mungo Park.

— At Heytesbury, aged 21, the hon. Frederick Ashe A'Court, youngest son of lord and lady Heytesbury.

FEBRUARY.

1. At Florence, aged 67, the hon. Caroline-Catharine-Letitia, wife of lieut. col. Alcock, and 4th daughter of St. Leger 1st viscount Doneraile.

— At the Cape of Good Hope, aged 52, James Dunbar, esq., son to the late sir George Dunbar, of Mochrum, bart.

4. At Dublin, lady Mary, widow of the late right hon. William Saurin, and sister to the marquess of Thomond.

6. Aged 86, general James Durham, of Largo, co. Fife.

— In his 82nd year, Mr. James Knowles, author of the English Dictionary that bears his name, and father of Mr. Sheridan Knowles, the dramatist and actor. He was first cousin to the late Richard Brinsley Sheridan.

— Accidentally drowned in a small skiff, at Sandford, about three miles from Oxford, aged 21, John Richardson Currer, esq. a commoner of Balliol College.

7. In Upper Seymour-street, aged 33, the baroness de Moncorvo, lady of the Portuguese minister at this court.

— At Holmwood, Charles Henry Stonor, esq. brother of lord Camoys. He was watching the fall of a large beech in his park at Holmwood, when, from the saturated state of the ground it suddenly fell on, and so seriously injured him, that he survived the accident but a few hours.

9. At Newcastle, in his 59th year, Mr. Luke Clennell, formerly a very promising artist. He was the son of a farmer at Ulgham, in Northumberland. The predilection for art, which he early manifested, induced his friends to place him with Bewick, of Newcastle, the celebrated wood-engraver. In 1804, shortly after he had served out his term of apprenticeship, he removed to London, where he soon found abundant employment. Among his best works, as an engraver, are the illustrations to Falconer's Shipwreck, Rogers's Poems, after drawings by Stothard, and the Diploma of the Highland Society, from a design by the President West. His ambition, however, took a higher aim; he resolved to abandon engraving and become a painter. Being familiar with the use of water colours—having already made many drawings from sir Walter Scott's "Border Antiquities"—he resolved to become a candidate for a prize offered by the British Institution, for the best sketch of "The Decisive Charge of the Life Guards at Waterloo." He succeeded, and received 150 guineas. An engraving from this picture was subsequently published by Bromley. In 1814, the earl of Bridgewater gave Mr. Clennell a commission to paint a large picture, commemorative of the dinner given by the City of London to the Allied Sovereigns, in which he was to introduce portraits of the principal guests. The artist had, of course, great difficulty in procuring the required portraits. At length having collected all his materials, and finished his sketch, he was proceeding vigorously with the great work itself, when in April 1817 he suddenly became insane, an affliction from which he never recovered.

10. In Brooke-street, Grosvenor-sq., in his 74th year, Sir Jeffry Wyatville, knt., and knt. of the Saxon Ernestine Order, a royal academician, and fellow of the Royal and Antiquarian Societies. Sir Jeffry Wyatville was the son of Joseph Wyatt, an architect resident at Burton-upon-Trent, in the county of Stafford, where he was born on the 3rd of August, 1766. He received the common rudiments of education at the free-school of his native place; and his early passion was for the sea; but circumstances having conspired to prevent his indulging it, he came to London in 1783, where he found a friend and protector in Samuel Wyatt, his father's brother, then an architect and builder of repute, with whom he continued more than seven years. In the hope of acquiring further professional knowledge, young Wyatt had recourse to another uncle, Mr. James Wyatt, likewise an architect of considerable talents, and who was then employed by king George III., in making various alterations at Windsor Castle. In his office, his nephew served a second term of ap-

prenticeship; and, besides improvement in practice, obtained numerous introductions to influential persons, among whom was the prince of Wales, who honoured him with personal notice up to 1799. In this year, Mr. Jeffry Wyatt joined in business an eminent builder, who had extensive government and other contracts. In this profitable concern he continued till 1824; when he unexpectedly received from king George IV. instructions respecting designs for the restoration of Windsor Castle. The sum of 300,000*l.* having been voted by parliament towards the expenses of these improvements, and the plan of operations settled, on the 12th of August, 1824, the birthday of George IV., the first stone was laid by the king, it being part of the foundation of the new gateway on the southern side of the Great Quadrangle, and thenceforth named George the Fourth's Gateway. On this occasion the architect received the royal authority for changing his name to Wyatville, chiefly for the purpose of distinguishing him from his uncle, Mr. James Wyatt, whose share in the architectural works at Windsor, during the reign of George III., has already been mentioned. At the time that Mr. Wyatville commenced his improvements, in 1824, the alterations and additions made in the castle buildings, from the commencement of the Tudor dynasty to the year 1824, were not only inharmonious with the castellated character of the older works, but were generally tasteless in design, and slight and bad in execution. Hence the fronts of the latter class were taken down, when the whole of the main timbers were found to be decayed. New floors and ceilings, with new partition walls, were necessary; and to improve the exterior effect of the elevations, each wall was raised several feet, and finished with bold embattled parapets. The angular and intermediate towers were also augmented in height, and each crowned with a machicolated summit. The chimney-shafts were formed into stone clusters, and made to assume the shapes of turrets. Around the south and east sides of the interior of the great quadrangle was erected a spacious corridor, 550 feet in length, connected with and forming grand and convenient approaches to the chief suites of apartments which belong to those parts of the castle. The works proceeded with such rapidity, that, on the 9th December, 1828, the king's private apartments were completed, and his majesty formally took possession of the castle, on which occasion the king conferred the honour of knighthood on his architect. The progress of the repairs was rather expedited than stayed by the king having taken up his residence at the castle. The decayed and dangerous state of the building had, however, occasioned an expenditure much beyond the original estimates; indeed, at Midsummer, in 1830, the cost appeared to have been nearly doubled. Application was, accordingly made to parliament for further advances; when, opposition being raised in the house of commons, a committee was appointed to investigate the castle works, and the probable amount of money requisite for their completion. The committee, at length, ordered works to be undertaken to the estimated amount of 148,796*l.* to be advanced at the rate of 50,000*l.* per annum. This grant was made exclusively for the architect's department, independent of the upholsterer, decorator, and other artisans. Since that time, much has been done. The Elizabethan Gallery has been finished, and fitted up as a library; the Waterloo Gallery has been completed, and adorned with portraits, by Lawrence, of the principal monarchs, statesmen, and generals of Europe; the old principal staircase has been removed, so as to present an uninterrupted view from the northern terrace, through the superb pile, by means of opposite entrances, to the unrivalled Long Walk on the south; a noble staircase having been elsewhere constructed, in which is placed a colossal statue of George IV., 9 ft. 6 inch. high, by Chantrey. Lodges have also been erected at the junction of the Long Walk with the Home Park; and several of the old state apartments, at the north-west part of the upper court, have been enlarged and substantially repaired. At the north-west angle of this court, sir Jeffry had designed a splendid chapel. The heightening of the Keep, or Round Tower, by some feet, is also an improvement which adds pre-eminently to the dignity of the magnificent pile. Von Raumer, on his visit in 1833, found Windsor far exceeding his expectations, and making a greater impression on him than all

the other castles he had ever seen put together. Whilst Windsor Castle is the *chef-d'œuvre* of sir Jeffry Wyatville, he had wholly built, or improved, many other edifices in different parts of the kingdom. He left some of his works in thirty-five out of the forty English counties, and four out of the twelve Welsh. Through the introduction of queen Adelaide, sir Jeffry designed a castle at Altenstein, for her brother the reigning duke of Saxe Meiningen; as also a palace, with extensive stables, and a riding house for Meiningen; for which works the duke presented him the grand cross of the Saxon Ernestine order, as a mark of his approbation. In the summer of last year he designed the stables at Windsor Castle. A portait of sir Jeffry was painted by sir Thomas Lawrence, by command of George IV., and placed in the royal collection at Windsor Castle; and since his death, sir Francis Chantrey has received command from her present majesty to place his bust in the long gallery.

11. At Barnsley, aged 88, Joseph Beckett, esq. one of her majesty's deputy lieutenants for the West Riding, uncle to sir John Beckett, bart. Also on the 13th, aged 79, Mary, his wife, daughter of John Stainforth, esq. of Hull.

12. At the Spa Hotel, Durham, the right hon. Maria countess of Leitrim. She was the eldest daughter and coh. of the late William Birmingham, esq. was married to the present earl of Leitrim in 1804, and has left issue viscount Clements, M.P., three other sons, and three daughters.

13. At Norfolk island, drowned by the upsetting of a boat, in his 30th year, the hon. John Charles Best, captain of the 50th regiment, tenth and youngest child of lord Wynford.

— In St. James's Palace, Laura Maria, second daughter of major-general sir H. Wheatley, G.C.H.

15. At Harewood-house, aged 70, the right hon. Henrietta countess of Harewood.

16. At Fir Grove, Eversley, dame Elizabeth Dorothea Cope, wife of Hen. Rush, esq. and relict of sir Denzil Cope, bart., of Bramshill.

17. At Hastings, in the nineteenth year of her age, Frances Ursula, eldest daughter of the hon. and very rev. Geo. Pellew, D.D. of Corpus Christi College, dean of Norwich.

18. At Leamington, in his 63rd year, the right hon. William Murray, third earl of Mansfield.

20. In his 21st year, Arthur Archibald, youngest surviving son of the late hon. George Winn, M.P., of Warley Lodge, Essex.

21. At Dorchester, aged 75, Charlton Byam Wollaston, esq. for many years chairman of the Quarter Sessions of that county.

21. In Guernsey, in his 75th year, John Jacob, esq. author of "Annals of some of the British Norman Isles constituting the Bailiwick of Guernsey," of which Part I. was printed in a large 8vo. volume, at Paris, in 1830.

24. At Rome, the hon. Frances Catharine Mackenzie second daughter of the late lord Seaforth.

25. At Hastings, in his 74th year, the ven. Thomas Birch, D.C.L. archdeacon of Lewes, and vicar of Bexhill, Sussex.

25. At Dieppe, the rev. James Beaver, formerly fellow of Corpus Christi college, Oxford, and for many years rector of Childrey, Berks. Mr. Beaver, in early life, served as chaplain both in the army and navy. Whilst in the latter service he was on board the Monarch, in the battle of Copenhagen; and behaved with so much courage and presence of mind as to attract the notice of all on board. The officer who had the charge of an important gun having fallen early in the day, Mr. Beaver took his place, and fought his gun with so great skill and bravery to the end of the action, that he was honoured with the especial notice of lord Nelson, and on his return to England had a gold medal presented to him, in commemoration of his conduct.

27. At Manchester, Mr. Henry Wyatt, painter.

29. At Bedlington, aged 110, Mrs. Mary Lorimer. She perfectly remembered the rebellion of 1745, at which time she was in service at Morpeth.

— At Harrington-house, Privy-gardens, aged 58, the hon. Lincoln Edwin Robert Stanhope, a major-general in the army, and C.B.; brother to the earl of Harrington.

Lately. At Stettin, princess Elizabeth of Brunswick. She was born in 1746, and married in 1765 the crown prince, afterwards Frederick William II., king of Prussia, but divorced from him in 1769. She was the only surviving

princess of the house of Brunswick-Wolfenbuttle, of which the only members now living are the reigning duke and his brother Charles.

— In Paris, from the effects of a gun-shot wound, received forty years since, marshal Maison.

MARCH.

1. Aged 40, William James Ward, esq. A.R.A of Albany-street, Regent's Park, Mezzotinto engraver to their late majesties George IV. and William IV.

— In Eaton-place, in his 65th year, sir Charles Richard Blunt, the fourth baronet (1720) M.P. for Lewes.

4. At Barnes, in her 18th year, the lady Alicia Hope, daughter of John, fourth earl of Hopetown.

5. At the seat of lord Wynford, near Chiselhurst, aged 72, the right hon. Mary Anne lady Wynford.

— At Blenheim, after a short illness, within one day of completing his 74th year, the most noble George Spencer-Churchill, fourth duke of Marlborough and marquess of Blandford, &c. He was the elder son of George, fourth duke of Marlborough, K.C., by lady Caroline Russell, only daughter of John, fourth duke of Bedford. In July, 1804, he was appointed one of the lords commissioners of the Admiralty, which office he held until February 1806. In 1817 he succeeded his father in the dukedom, having previously been called up by writ to the house of peers as baron Spencer; and in May following, he was authorized by royal sign manual, to take the surname of Churchill after that of Spencer, and to bear the arms of Churchill quarterly with those of Spencer, in memory of his celebrated ancestor, John, first duke of Marlborough. Whilst marquess of Blandford, his grace was distinguished by the magnificence and expense with which he indulged his taste, particularly in his gardens and his library at White Knights, near Reading. For the latter he purchased at the duke of Roxburghe's sale, in 1812, Valderfer's edition of the Decamerone of Boccaccio, printed at Venice in 1471, at the enormous price of 2,260*l.*; and in 1815, the celebrated Bedford Missal, at the sale of the library of James Edwards, esq. of Pall Mall, for the sum of 698*l.* 5*s.* Most of the duke of Marlborough's collections, however, have been long since dispersed; and during the latter years of his life he lived in utter retirement at one corner of his magnificent palace: a melancholy instance of the results of extravagance. The duke married, 1791, lady Susan Stewart, daughter of John, eighth earl of Galloway, K. T., by whom he had issue four sons and two daughters.

6. At Richmond, lady Anne Bingham, aunt to the present earl of Lucan.

— At Kensington, aged 72, Anthony Browne, esq. for many years a member of parliament, and for nearly half a century, down to the period of his decease, agent for the island of Antigua. He was first returned to parliament for Hedon in 1806.

— At South Molton, aged 48, C. R. Goring, esq. M.D. For many years he assiduously devoted himself to effecting improvements in the microscope, and his works, in conjunction with those of Mr. Andrew Pritchard, published under the titles of "Microscopic Illustrations," "Microscopic Cabinet," and "Micographia," have long been before the public.

7. At Dublin, Mary, wife of sir Thomas Esmonde, bart.

9. At Stirling, in his 87th year, the right rev. George Gleig, LL.D. bishop of Brechin, primus of the Scottish episcopal church. He was ordained a priest in 1773, and consecrated bishop of the diocese of Brechin in 1808. Besides the labours of his diocese, he was the author of "Papers on Morals and Metaphysics." For some years past he had retired from active life, and in 1837 the right rev. David Moir, D.D. of Brechin, was consecrated assistant and successor to his diocese. As a scholar, a theologian, a metaphysician, and a critic, his name has for more than sixty years stood among the most eminent. He was father of the rev. G. R, Gleig, M.A. author of the "Subaltern" &c.

10. The countesse De Tourville, of Cambridge-terrace, Hyde-park.

— At Edgbaston, in his 25th year, Thomas Cotterell Scholefield, son of Joshua Scholefield, esq. M.P. for Birmingham.

11. At Cullen-house, co. Banff, in his 23rd year, Francis William Grant, esq. commonly styled The Master of Grant,

M.P. for the county of Inverness. He was the eldest surviving son, and heir apparent of colonel, the hon. Francis William Grant of Grant, brother and heir presumptive to the earl of Seafield. He had arrived at Cullen-house, in the county of Banff, to superintend the funeral of his mother, and was found dead in his bed on the day after.

— At St. James's-palace, in his 74th year, sir Thomas Mash, for many years attached to the lord chamberlain's office during the reigns of George III. and IV. and William IV., by the last of whom he was knighted on his retirement from public life.

12. In a fire at Elliott's royal hotel, Devonport, aged 74, major John Doidge Horndon, late of the Cornwall militia.

13. At Brighton, in his 78th year, George Bridges, esq. formerly alderman of Lime-street Ward, to which he was elected in 1811. He was sheriff of London and Middlesex in 1816, lord mayor in 1819, and one of the members for the city in the parliament of 1825-26. He resigned his gown in 1826.

14. At Saltram, near Plymouth, in his 68th year, the right hon. John Parker, first earl of Morley, and second baron Boringdon, of Boringdon, co. Devon (1784); F.R.S. and D.C.L. He was the only son of John, first lord Boringdon, by his second wife, the hon. Theresa Robinson, second daughter of Thomas, first lord Grantham. He succeeded to the peerage whilst still in his minority in 1788, and, as a young man, was a frequent speaker in the house of lords, where he supported the ministry of Mr. Pitt and his Tory successors. His lordship married, first, in 1804, lady Augusta Fane, second daughter of the earl of Westmorland, which marriage was dissolved in February, 1809, and her ladyship became the wife of the right hon. sir Arthur Paget, G.C.B.; and, secondly, in the last mentioned year, Frances, dau. of Thomas Talbot, of Wymondham, co. Norfolk, esq., and by her had issue one son, and one daughter.

17. At Berlin, after a long and painful illness, John Frost, esq. F.S.A. founder of the Medico-Botanical Society of London.

— At Dudmaston, Salop, aged 67, lady Lucy-Elizabeth Georgiana, wife of W. W. Whitmore, esq. late M.P. for Bridgnorth, and sister to the earl of Bradford.

18. At Durham, aged 85, sir William Wilkinson, a general in the army.

— At Denham-park, aged 45, the hon. Edward Perceval. During five or six months he had been an inmate of that establishment for the insane. He managed, during the temporary absence of his keeper, to reach the window, and cast himself therefrom, a height of about 40 feet. He married in 1821 his cousin Jane, eldest daughter of the late right hon. Spencer Perceval, but she died without issue in 1824.

— By falling through a trap in the stage of the Bristol theatre, during the rehearsal of an opera of his own composition, entitled "Lundy," Mr. Cornelius Bryan, the organist of St. Mary Redcliff.

— In Newfoundland, aged 88, Wm. Carter, esq. judge of the vice-admiralty court of that island, the arduous duties of which office he discharged for fifty-two years with zeal and fidelity.

19. At Earl's Terrace, Kensington, at the advanced age of 91, Thomas Daniell, esq. R.A. F.R.S. F.S.A. and F.R.A.S., well known by his delineations of eastern scenery. Ten years of his life were passed in India, where, conjointly with his nephew, the late William Daniell, R.A., he published a series of views of Calcutta, and on his return to England, the folio work entitled "Oriental Scenery," in six volumes.

20. In Paris, aged 76, Vandael, the eminent flower-painter.

— In Upper Grosvenor-street, in her 82nd year, Catharine-Louisa Shipley, fifth daughter of the late right rev. Jonathan Shipley, bishop of St. Asaph.

— At his hotel in the Rue de Clichy, Paris, aged 55, the right hon. John Wm. Henry Dalrymple, seventh earl of Stair. He was the only child of Wm. Dalrymple, esq. brother of the fifth earl, by Marianne-Dorothy, second daughter of sir Robert Harland, bart., and succeeded to the peerage in 1821, on the death of his cousin-german, John the sixth earl. He married in 1804, Johanna, eldest daughter of Charles Gordon, esq. of Clunie, by whom he had no issue, and the marriage was annulled in June 1820. For the last eleven years he had been confined to his bed, speechless and almost unconscious. The peerage has now devolved on lieut.-general sir John Hamilton Dalrymple, of Cous-

land and Fala, bart., colonel of the 92nd Foot, he being the great-grandson of the hon. sir James Dalrymple, of Borthwick, second son of the first viscount.

21. At the Ray, near Maidenhead, sir John Phillimore, knt. and C.B. a post-captain R.N. and a naval aid-de-camp to her majesty.

— At his seat, Freemantle-park, near Southampton, aged 90, the right hon. sir George Hewett, bart. a privy-councillor in Ireland, general in the army, and for forty years colonel of the 61st Foot. He was descended from an old Leicestershire family, and was the only son of major Shuckburgh Hewett, of Melton Mowbray, by Miss Anne Ward. He served in America, and in the East and West Indies, and was for some time commander-in-chief of the forces in the East-Indies. He was created a baronet by patent November 1813.

22. At Dublin, Rod. Connor, esq. one of the masters of the court of Chancery.

— At Kensington, aged 48, Harrison Gordon Codd, esq. one of the magistrates of the Marylebone police court, a deputy lord-lieutenant of the county of Middlesex, and equerry to his royal highness the duke of Sussex.

23. At Salisbury, aged 81, the rev. James Cutler, prebendary of that cathedral, and rector of Leckford, Hampshire.

24. At Pembroke, aged 42, the rev. James Robertson Holcombe, vicar of Steventon, Berks, and a prebendary of St. David's and of Brecon.

— On board the Malabar, at St. Michael's, aged 61, general sir Henry Fane, G.C.B. commander-in-chief in India, col. of the 1st Dragoon Guards, and a member of the consolidated board of general officers, and D.C.L. He was the eldest son of the hon. Henry Fane, of Fulbeck, co. Lincoln, uncle to the present earl of Westmoreland. He entered the army as a cornet in the 6th Dragoon Guards in 1792 (being then fourteen years of age). He served in Ireland during the whole of the rebellion of 1797. In June, 1808, he was appointed brigadier-general, and directed to accompany the army under sir Arthur Wellesley; and previous to landing in Portugal, the light troops, forming the advanced guard of that army, were placed under his command. He served with them at the affair of Roleia and the battle of Vimiera, and continued in command of them until after the convention of Cintra. He was one of those appointed to march under the orders of sir John Moore to Spain, in the autumn of 1809; he commanded a brigade during the operations of that autumn, in the retreat through Galicia, and at the battle of Corunna. He again embarked for Portugal in the spring of 1810, and was placed in command of a brigade of cavalry. He served the campaigns of 1810 and 1811, and was present at the battles of Talavera and Busaco. Having been subsequently placed in command of the troops in the Alentejo, he suffered so much in that unhealthy climate as to be obliged to resign his command and return to England. In 1813 he again joined the army, previous to their advance from the frontier of Portugal, and resumed the command of the cavalry attached to lieut.-gen. Hill's corps, which he held at the battle of Vittoria, and to the termination of the campaign. He commanded the cavalry and horse artillery during all the operations of the spring of 1814, at the battles of Orthes and Aire, and at Toulouse, and on their march from the south of France to Calais, from whence he embarked for England. In January, 1817, sir Henry was promoted to the rank of lieut.-general upon the continent, and placed in command of the cavalry and horse artillery of the British army of occupation in France.

25. At Eton college, aged 80, the rev. Joseph Goodall, D.D. provost of Eton, canon of Windsor, and rector of West Ilsley, Berks. This distinguished scholar was educated at Eton. The pages of the Musæ Etonenses contain ample proofs of the elegance of his diction and correctness of his taste and scholarship in early years; and among the friends of his boyhood were included the most accomplished Etonians of that period. Mr. Goodall was admitted from Eton to King's college, Cambridge, in 1778. He there obtained, in 1782, a University scholarship, and in 1781 and 1782, sir William Browne's medals for the Greek odes and epigrams. In the year 1783, when he became fellow of King's college, he was recalled to Eton as an assistant master. To the more important office of head master, he was appointed on the resignation of Dr. George Heath in 1801, and the rapid increase of the school proved the high estimation in which he was held.

In 1806 he became canon of Windsor by the recommendation of the marquess Wellesley; and on the death of Dr. Davies he attained the merited reward of his useful labours, being appointed to the provostship by the express desire of George III.

26. At Lytchett House, aged 92, Mrs. Elizabeth Trenchard, sister of the late William Trenchard, esq., and last survivor of the ancient family of Trenchard, of Wolveton-house, near Dorchester.

28. Aged 69, professor Thibaut, of Heidelberg. He had filled the chair of Roman Law for many years with much distinction. He was also a profound musician.

29. At Newton-hall, near Great Dunmow, at an advanced age, Mary, relict of major-gen. sir Bridges T. Henniker, bart.

31. In Gloucester-place, the right hon. Sarah lady Thurlow. She was the only daughter of Peter Hodgson, esq., was married to lord Thurlow in 1836, and leaves issue two sons.

— At the deanery, Winchester, in his 87th year, the very rev. Thomas Rennell, D.D. dean of the cathedral. He was the only son of the rev. Thomas Rennell, prebendary of Winchester, and at thirteen years of age was sent to Eton. Upon being removed to King's college, Cambridge, doctor Rennell prosecuted his studies with intense ardour. In the year 1778 he gained the bachelor's prize for a Latin essay on the subject of government, remarkable for the deep philosophical views he took of the question, and the vigour and elegance of the language. Dr. Rennell continued at Cambridge until he entered into holy orders, when he took the curacy of Barnack, a retired village in Northamptonshire, and became as severe a student in Theology as he had previously been in classical and general literature, and to this subject, in all its various branches, henceforward through life were the powers of his mind almost exclusively given. He was appointed at an earlier age than usual to a prebend in Winchester cathedral, being already remarkable as a divine and a scholar. In 1786 Dr. Rennell married the eldest daughter of sir William Blackstone, and soon after undertook the charge of the populous parish of Alton. In the year 1797 he resigned the prebendal stall, in consequence of his acceptance of the Mastership of the Temple, a situation of all others for which he was peculiarly fitted, and which had been offered and even urged upon him by Mr. Pitt. The profound learning and fervid eloquence of his discourses there are still remembered. He ever regarded this period of his professional labours with satisfaction and pleasure in after life. It brought him into contact with congenial minds, and he enjoyed the friendship and respect of Eldon, Stowell, Kenyon, Erskine, and a host of other able and high-minded lawyers of that day. He was also fond of and courted the society of the students and younger part of the bar; to whom, in their early career, he was most kind and attentive, and of consummate service to the cause of genuine religion, in enabling those who consulted him to meet the arguments of its opponents, and in directing the attention of fair inquirers, anxious to satisfy their reason upon the evidences of Christianity during their few leisure hours, in the most compendious manner, to the nearest and best sources of information. He never shunned the acquaintance of a young man whose inquiring mind might be tainted with sceptical notions, on that account, and many, it is believed, were led to sincere belief by his aid. In the following year he took his degree of doctor of divinity at Cambridge, and preached the commencement sermon, in which he exposed the tendency of the wide spreading doctrines of the French revolution, and denounced them in a strain of such vigorous and argumentative eloquence as to excite the admiration and gratitude of every lover of religion and order, and to call forth the abuse and never ceasing enmity of the jacobinical party in this country. It was on this occasion that Mr. Pitt applied to him the term of "the Demosthenes of the pulpit." In 1805 he was promoted by that constant and kind friend to the deanery of Winchester. All the duties of his new station were performed in the most exemplary manner, for his heart was interested in them. It was in his time that the extensive repairs, by which so much was done to obviate decay and to restore the beauty of the fabric of that splendid pile, took place. In 1827 doctor Rennell resigned the Mastership of the Temple, being unable, from growing infirmity, any longer to perform the duties satisfactorily to his own conscience. On this occasion he

addressed to each of the two societies a letter replete with deep feeling and nervous energy, which was afterwards printed, together with the kind complimentary answers to it. The evening of his existence was passed chiefly at Winchester, where he came at length to his grave in full years, "like as a shock of corn cometh in its season," leaving one son and two daughters. As a theologian and a scholar, in the most comprehensive sense of the words, Dr. Rennell was perhaps one of the most remarkable and accomplished men of his age. It is to be regretted that one volume of discourses, chiefly preached at the Temple, is all that he ever published with his name attached.

— In Cadogan-place, by his own hand, aged 52, captain Ellers Parnell Hopkins, late of the 4th foot. He was completely blind, but could find his way about the house, and always shaved himself. At a coroner's inquest, major L. M. Bennett, 64th foot, said, he had known the deceased from 1808, and had never noticed any thing insane in his manner until the evening before his death, when he was in a strong fit of hysterics, which lasted during a few minutes. All the time deceased appeared violently excited, and with uplifted arms he frequently exclaimed, "My mother, my mother! She is burning—save her, save her!" About five years previous his mother had been burned to death in her bed-room, whilst he was in the house, unable to save her on account of his blindness.

— In Chesham-place, aged 85, lady Mary Hussey, widow of Thomas Hussey, of Galtrim, county Meath, esq. She was the last surviving daughter of Horatio earl of Orford, by lady Rachael Cavendish, youngest daughter of William, third duke of Devonshire.

— At St. Cernin, in the 120th year of his age, Antoine Delpeuch. He fought at Fontenoy, where his entire company, commanded by Jean de Calonne, was destroyed, with the exception only of himself and four others.

— At Bremen, aged 81, the celebrated astronomer Olbers.

— At Paris, aged 56, doctor Biett, head physician to the hospital of St. Louis, supposed to have fallen a victim to his exertions during the cholera.

— At Washington, commodore Isaac Chauncey, of the American navy, well known for his intrepidity in the war of 1813, on the Canadian Lakes, against the British forces. He was president of the Board of Navy commissioners.

— At Coward college, Torrington-square, aged 58, the rev. Thomas Morell, late Theological tutor of the college, well known by his useful contributions to educational literature.

— At Dublin, lady Tynte (Caldwell), widow, first, of sir Charles Tynte, bart. and, secondly, of the late Fitzmaurice Caldwell, esq. brother of the late sir John Caldwell, bart.

APRIL.

2. At Dr. Stillwell's lunatic asylum, near Uxbridge, aged 77, Granville William Wheeler Medhurst, esq. of Medhurst-hall, Yorkshire. He had been in confinement from the year 1800, when he was tried at York assizes for the murder of his wife, and acquitted on the plea of insanity. His fortune (said to amount to 7000*l.* per annum, devolved on his grandson, Francis Hastings Medhurst, who at the time of his grandfather's death was under sentence of imprisonment for the manslaughter of his schoolfellow Joseph Alsop, at Hayes, on the 9th March, 1839.

4. At Cambridge, aged 22, accidentally, in endeavouring to save a fellow-collegian from drowning, Temple Frere, esq. of Trinity college, eldest son of the rev. Temple Frere, prebendary of Westminster.

6. Near Cadiz, after a long illness, aged 43, the rev. Henry Rycroft, a prebendary of Lincoln, brother to sir Richard C. H. Rycroft, bart.

— At Stanhope-lodge, near Hanwell, lieut.-gen. sir William Thornton, K.C.B. colonel of the 85th foot.

7. Aged 75, Abraham Bagnell, esq. M.D. the oldest physician in Bristol, a man of considerable literary attainments.

— At Hanbury-hall, Jessie Anna Letitia, wife of Patrick Chalmers, esq. of Auldbar, Forfarshire, M.P. for Montrose burghs.

8. At his house in Hampton-court, aged 71 years, William Stephen Poyntz, esq. of Cowdray-park, Sussex, and of Midgham-house, Berks, a deputy lieut. of Sussex and Hampshire.

— At Killane, aged 95, Mrs. Margaret Keating, mother of the right rev. doctor Keating, of Wexford.

DEATHS.—April.

— In Tralee, aged 109, the relict of Mr. John Higgins. She had a perfect recollection of the great frost of 1739-40, and of the famine that followed.

9. At Aghadoe-house, Kerry, aged 59, the right hon. Charles Allanson Winn, baron Winn, of Aghadoe, and a baronet of England.

— In Upper Brook-street, aged 73, Henry Stewart, esq. rear-adm. R.N.

— Aged 73, the rev. Richard Carey, rector of Barrowden, Rutlandshire, and a prebendary of York.

— In Upper Brook-st., Grosvenor-square, aged 73, rear-adm. Henry Stuart.

— At Rome, aged 88, the right rev. Charles Edward Drummond, titular duke of Melfort, comte de Lussau in France, a prelate of the church of Rome, and apostolical prothonotary; chief male of the house of Drummond.

10. At Osborne-house, near Ryde, aged 26, Fitzroy Blachford, esq. son and heir of the late Barrington Pope Blachford, esq. by lady Isabella Fitzroy.

— In York-place, Edinburgh, aged 83, Alexander Nasmyth, esq., the father of the Scottish school of landscape painting. Mr. Nasmyth was born in Edinburgh, where he received his elementary education. In his youth he went to London, and became the apprenticed pupil of Allan Ramsay (son of the poet), at that period one of the most esteemed portrait painters of the metropolis. He afterwards visited Italy, where he pursued his studies for several years, and having returned to his native city, commenced practising, with great success, as a portrait painter. To his friendship with Burns the world is indebted for the only authentic portrait which exists of the great Scottish poet. His passion for landscape, however, had been gradually gaining ground; and the applause with which his earlier performances in that branch were received, led him for the most part to abandon portrait, and give himself up to his favourite pursuit. For many years he employed a considerable portion of his time in giving tuition at his house in the principles of his art, and received a large portion from this source alone.

11. At Great Malvern, aged 96, the right hon. Apphia lady Lyttelton, widow of Thomas second lord Lyttelton. With means comparatively slender, she was eminently charitable. The schools founded by her, the public walks laid out and improved, and the house of industry, are standing monuments of her beneficent disposition.

12. At New York, Joseph Wilfred Parkins, esq. This gentleman in the year 1819-20 served the office of high sheriff of London and Middlesex, and for some years after made himself conspicuous in various eccentric ways, and was generally known by the title of ex-sheriff Parkins.

14. At Edinburgh, aged 37, Henry John William Collingwood, esq., of Lilburn Tower, Northumberland.

— In Harley-street, aged 81, Ann dowager lady Rodney, mother of lord Rodney, and sister to the dowager countess of Kinnoull. She was the second daughter of the late right hon. Thomas Harley, son of Edward third earl of Oxford.

15. At Ryde, aged 33, the hon. Caroline, wife of Henry Every, esq. (son of sir Henry Every, bart.) and second daughter of viscount Ashbrook.

— At the Viceregal Lodge, in the Phœnix-park, Dublin, captain Thomas Drummond, under secretary of State for Ireland.

16. At Pimlico, aged 50, Mr. William Pitts, an eminent sculptor. Like many of the early Italian sculptors, Mr. Pitts commenced his career as a chaser in silver, being apprenticed to his father. His earliest works of celebrity were a great portion of the Wellington Shield, designed by Stothard, for Messrs. Green and Ward, and the shield of Achilles, designed by Flaxman, under whose direction it was executed. He also modelled La Sœur's statue of king Charles the First, which was executed in silver for lord Arden. Mr. Pitts married at the early age of nineteen, and was obliged to apply himself sedulously to his profession. He produced, in rapid succession, a series of works, displaying in their conception no ordinary genius. In 1829 he executed two bas-reliefs, each eight feet in length, the Rape of Proserpine; and the Nuptials of Pirithous and Hippodamia, with the outrage of the Centaurs; these have been engraved in outline, and are described in "The English School of Art." Mr. Pitts had previously modelled the Shield of Æneas, three feet six inches in diameter, from the splendid description of Virgil; some of the compartments of which executed in silver, have recently been exhibited at the Royal Academy. In 1830 he ed-

signed and executed all the bas-reliefs in the bow-room and drawing-rooms of Buckingham-palace, and a very bold piece of sculpture for the pediment of St. Martin's vestry room, of St. Martin dividing his cloak with a beggar. A bas-relief of a succession of the sovereigns of England from William the Conqueror to William the Fourth, with their several attributes, was exhibited by him in 1837. Mr. Pitts designed with great facility; and in drawing, as well as modelling, used equally the right and the left hand, and even both at the same time. He projected a series of illustrations of Virgil, and completed the drawings in outline, but two numbers of the work only were published. He made drawings in illustration of Horace, and for two of the tragedies of Euripides, Bacchæ and Ion. At a late period Mr. Pitts executed many works for goldsmiths; his designs were highly estimated, and a method which he had acquired of raising the silver, procured a decided preference for his workmanship. A rash engagement relative to a laborious and expensive work, which Mr. Pitts had entered into, is supposed to have preyed upon his mind and to have created that depression under the influence of which he terminated his life by poison.

16. In Portugal, aged 54, Alexander Thomas de Moraes Sarmento, viscount de Banho, lately a peer of that kingdom, and Portuguese minister at Madrid. He was the eldest brother of baron de Moncorvo, Portuguese minister at this court.

— At Portsmouth, in his 42nd year, William Burnett, esq. post captain, R.N. commanding H.M.S. Magicienne. He was the third son of sir Robert Burnett, the seventh and present baronet, of Leys, co. Aberdeen, by Margaret Dalrymple, fourth daughter of general Elphinstone, of Logie-Elphinstone.

17. At Inverailort, the wife of major-general sir Alexander Cameron, K.C.B. and deputy governor of St. Mawes.

18. At Dublin, in his 73rd year, the right hon. Richard Handcock, second baron Castlemaine, of Moydrum, co. Westmeath (1812).

20. In Place Vendôme, Paris, in his 86th year, the right hon. Thomas Knox, first earl of Ranfurly.

21. At Rockbarton, co. Limerick, aged 74, the right hon. Standish O'Grady, viscount Guillamore, of Caher Guillamore, co. Limerick, and baron O'Grady, of Rockbarton; a privy councillor for Ireland, and late chief baron of the Exchequer in that kingdom. He was the eldest of the nine sons of Darby O'Grady, esq. of Mount Prospect, co. Limerick, and was called to the Irish bar in 1787. In 1803 he was appointed attorney-general for Ireland, and sworn a privy councillor for that kingdom. In 1805 he was appointed chief baron of the Exchequer, and held that office until the commencement of 1831; when, on his resignation, he was created a peer of Ireland by the title of viscount Guillamore. He married, in 1790, Catherine, daughter of John Thomas Waller, of Castletown, co. Limerick, esq. and by her had issue seven sons and five daughters.

22. At Dartmouth-house, Blackheath, in her 50th year, lady Barbara Maria Newdigate, fifth dau. of George, third earl of Dartmouth.

— In Belgrave-square, aged 40, Jas. Prinsep, esq. F.R.S. member of the French Institute, Berlin Royal Academy, &c. He died after a lingering illness, brought on by over-exertion in his official literary, and scientific pursuits, during a twenty years' residence in India.

— In Charles-street, Berkeley-square, in his 62nd year, major-general sir Alexander Dickson. G.C.B. K.T.S. and K.C.H. director-general and deputy adjutant-general of royal artillery.

23. At Belgarvie, in childbed, in her 19th year, the hon. Mrs. Fred. Scrymgeour Wedderburn, fifth daughter of lord viscount Arbuthnot.

23. At Venice, aged 80, the count Guiccioli, husband of lord Byron's famous Contessa. He had had three wives, and has left one legitimate daughter.

— At Whitehall, aged 16, the hon. Mary Isabella Smith, eldest daughter of lord Carrington.

24. Claudius West, esq. of Currowna. As he was returning from Drumkeerin, co. Leitrim, in company with four persons, he was met by three men and shot. He was a younger brother of J. B. West, esq. Q.C. formerly M.P. for Dublin.

25. At his house in Taunton, aged 72, sir Robert Seppings, F.R.S., for many years surveyor of the British navy. Sir Robert commenced his career as a naval architect under the late sir

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John Henslow, and was in the service of his country in that capacity for nearly fifty years, during which period his improvements in ship-building were numerous and important, and his fidelity and exertions such as to call forth on several occasions the testimony of the committee of finance, and the approbation of both houses of parliament.

— At Paris, M. Poisson, president of the Academie des Sciences, a peer of France, and a foreign member of the royal society of London. M. Poisson was born in 1782; and his whole life may be said to have been consecrated to the promotion of analytical discovery and scientific investigation. The principal work by which his name became spread over Europe was his "Traité de Mécanique Rationelle." Among his other publications may be mentioned "Researches on Planetary Perturbations;" "On tne Oscillations of Fluids," "On the Movement of Elastic Fluids in Cylindrical Tubes;" "The Theory of Wind Instruments;" "The Treatise on Heat, and on the Distribution of Heat;" as also the "Essay on the Doctrine of Chances."

27. At Wear-house, near Exeter, Susanna Catherine, widow of admiral sir J. T. Duckworth, bart. G.C.B. She was the daughter of the right rev. W. Buller, bishop of Exeter.

— At West-hill, Wandsworth, aged 28, the right hon. Blanche Georgiana countess of Burlington. She was the fourth daughter of the earl of Carlisle, was married in August, 1829, and has left three sons, and a daughter.

28. At Paris, aged 73, George Horsford, esq. lieut.-general in the army.

— At his seat, near Southampton, in the prime of life, sir Thomas Carew, captain R.N.

29. In Edward-street, Portman-square, aged 45, lord Charles Spencer Churchill, F.L.S.; brother to the Duke of Marlborough.

— Phillips Dunn Monypenny, esq. student at law, youngest son of the late Robert Monypenny, of Merrington-place, Rolvenden, Kent, esq. He died suddenly when at dinner in Lincoln's Inn-hall, from ossification of the heart.

30. At Caen, aged 62, George Brummell esq. the celebrated "Beau Brummell," once the associate of George IV., when prince of Wales. He had been long in distressed circumstances, and, latterly, had been confined in a mad-

— At Montreal, John Lyster, esq. captain and lieut.-colonel of the 1st grenadier guards, and one of the gentlemen ushers daily waiters in ordinary to her majesty.

Lately. In Edinburgh, the widow of general sir David Dundas.

— Near Listowel, Kerry, in her 97th year, Dora, last surviving daughter of the late John Hewson, of Ennismore, esq. This venerable gentlewoman was niece to the late knight of Kerry, and a descendant of the celebrated and long lived countess of Desmond.

— William Browne, esq. of Browne's Hill. He first married in 1794, lady Charlotte Bourke, a sister of the earl of Mayo, and secondly in 1813, lady Letitia Toler, sister to the late earl of Norbury, and left a numerous issue.

— The right hon. William Gregory, of Coole, county of Galway, formerly under secretary for Ireland.

— In Wimpole-street, aged 57, Julia Maria, wife of Henry Hallam, esq. F.R.S. the historian of the middle ages.

— At Portarlington, aged 80, Miss Elizabeth Handcock, sister to lord Castlemaine.

— Near Farnham, major-general sir James Campbell, of the royal marines.

— In Lower Grosvenor-street, aged 69, lady Frances Arabella, widow of Marcus Beresford, esq. and daughter of Joseph, first earl of Miltown.

— Jeffries Spranger, esq. master of the Court of Exchequer, and one of the benchers of the hon. society of Gray's Inn.

— Aged 38, the hon. John Waldegrave, brother to the earl Waldegrave.

— In Dublin, aged 94, Miss Burgh, aunt to lord Downes.

— At Fermoy, Martha Plunket, at the extraordinary age of 108.

— At Lacca, Queen's county, in his 95th year, Andrew Despard, esq. late a lieut-colonel 79th regiment. He entered the army at the age of 14, and was a lieutenant, commanding a company at Bunker's-hill.

MAY.

1. At Bath, aged 84, the right hon. Frederick Trench, baron Ashtown, of Moate, co. Galway; and of Chessel-house, Southampton.

2. At Bath, where he had been residing for nearly two years, aged 67, the

celebrated linguist, Thomas Manning, esq. of Orange Grove, Dartford. He was the second son of the rev. William Manning, rector of Diss, in Norfolk. After receiving a liberal education he entered at Cambridge, where he studied intensely; and numbered as his friends some of the most celebrated men of the time, amongst whom were Dr. Davy, professor Porson, and Charles Lamb, who addressed to him the greater portion of the letters lately edited and published by sergeant Talfourd. During his residence he was greatly distinguished for his mathematical attainments, and published in 1798 the celebrated work bearing his name on Algebra, in two volumes, 8vo. besides a smaller volume on arithmetic. Affecting, however, the plain dress of the Quakers, and with it adopting their strong repugnance to all oaths and tests, he felt himself debarred from all academic honours and preferments; he therefore left the university without taking a degree, and directed his attention to the acquisition of medical knowledge. For some time his imagination had brooded over the mysterious empire of China; and having resolved to go thither, he now entirely devoted his studies to the language of that country, and became one of the best Sinese scholars in the world. Thus qualified, Mr. Manning proceeded to the east, but his endeavours to penetrate into the celestial empire by the way of Canton were uniformly frustrated, as was also a subsequent attempt to do so on the side of Thibet. He was however at length enabled to effect his object by accompanying lord Amherst in the embassy to Pekin in 1816.

Mr. Manning spent some of the later years of his life in retirement, near Dartford, and afterwards transferred his residence to Bath, where he died of apolexy, May 2nd, 1840, and was interred in the abbey. Mr. Manning was a person of somewhat eccentric habits and tastes, but this circumstance did not prevent his society from being much courted by men of distinction, both in politics and learning. The letters addressed to him by Charles Lambe, in his correspondence as lately published, are alone sufficient to preserve his name from oblivion.

3. At Paris, aged 70, James Morison, esq. of Hamilton-place, New Road, styling himself "The Hygeist," the vendor of the "Vegetable Universal Medicines," commonly known as Morison's pills.

— At Clapham-rise, Timothy Henry Davis, esq. late surveyor general of her majesty's customs.

5. At St. John's-wood-road, in his 70th year, Charles Hodges Ware, esq. many years private solicitor to king William IV.

— At Brighton, aged 41, Caroline Susanna, wife of the vicomte de Mentque, and dau. of the late John Spencer, esq. by his cousin lady Elizabeth Spencer.

— In London, Thomas Burgeland Johnson, formerly a printer in Liverpool, and subsequently known as a writer on field sports.

— Drowned in the Mediterranean, in his 60th year, the rev. Lant Carpenter, LL.D. He was a nephew of the rev. Benjamin Carpenter, a very respectable Presbyterian minister at Stourbridge, and was early sent to the academy at Northampton, maintained by the trustees of Coward's fund for the education of Presbyterian ministers. He completed his professional studies in the university of Glasgow, where he acquitted himself with great credit. He was subsequently for a time librarian at the Athenæum at Liverpool, but he soon settled as a minister with the Dissenting congregation of Saint George's meeting, in the city of Exeter. Here he continued till his removal to Bristol, to join the rev. John Rowe as pastor of the congregation meeting in Lewin's Mead, in connexion with which he remained till the time of his death; but of late years the state of his health rendered frequent and long absence necessary. Besides his professional duties as a minister, Dr. Carpenter for many years was at the head of a school which he established; he was much employed in delivering lectures on various subjects in different towns; was constantly writing for the press; was assiduous in his attendance at the meetings of various religious societies with which he had connected himself; and took a very active part in the administration of the affairs of public schools, charities, and other institutions in Bristol. The same energy which he shewed on other objects he carried into his character as a Dissenter. He was what is commonly called a Unitarian, though differing in some points, it is supposed, from Lind

sey, and the other fathers of modern Unitarianism. Most of his published writings, which are numerous, relate, more or less, directly to this controversy. Dr. Carpenter's end was melancholy. He had visited Italy, on account of the state of his health, and as he was passing by sea from Naples to Leghorn, on inquiry being made for him one morning, it was found, that he was absent. When last seen, he was on the cabin stairs, between ten and eleven at night, standing as if for the benefit of fresh air, and it is supposed, that he then proceeded to the deck, suffering from sea-sickness, and the night being dark and rainy, and the sea rough, a sudden lurch of the vessel precipitated him into the deep. It was not till many weeks had passed, that the body was washed on the Italian coast. His watch and seals, and several papers, were found in his pockets.

— At his house in Park-lane, aged 72, the victim of the treacherous hand of a Swiss valet, Lord William Russell, uncle to the duke of Bedford.

— Henry Cromwell Field, esq., lineally descended, in the fifth descent, from Henry Cromwell, lord-deputy of Ireland, the younger son of the Protector. His death took place instantaneously, by a stroke of apoplexy, whilst in the discharge of his duty as resident medical officer at the Charter-house, attending one of the pensioners. He was the last of four generations, who, from father to son, during a space of nearly 140 years, were members of the same branch of the medical profession, and carried on their business during nearly the whole of that period in the same place, Newgate-street, in the city of London

— At Norwich, aged 76, James Selleth, a good artist.

8. At Beziers, in the south of France, sir Robert Hugh Kennedy, K.C.H. second son of the late Hugh Alexander Kennedy, M.D. During almost the whole of the Peninsular war, he was commissary-general to the forces commanded by the duke of Wellington.

10. Aged 80, Henry Wreight, esq., of the firm of Wreight and Hilton, bankers, Faversham, leaving upwards of 75,000*l.* in trust for charitable purposes.

11. At Plainfield, near Ringwood, aged 69, William Whately, esq. eldest son of the late rev. Dr. Whately, of Nonsuch Park, Surrey; and brother to the archbishop of Dublin.

13. In Henrietta-street, Covent-garden, aged 79, Samuel Foote, esq., formerly manager of the Plymouth theatre, father of Miss Foote, the well-known actress, now countess of Harrington.

14. In Portugal-street, Lincoln's-inn, Walter Thomas Clarke, esq., for many years an eminent law bookseller.

14. At his residence, Hyde Park terrace, in his 68th year, sir William Bolland, knt. M.A. late one of the barons of the exchequer. Sir William Bolland was educated at Reading school under Dr. Valpy, and at Trinity college, Cambridge, where he proceeded M.A. in 1796. In that year he obtained the Seatonian prize for his poem on "The Epiphany," and he was also successful in his efforts for that prize in the two following years. Mr. Bolland was called to the bar in 1801; admitted one of the four common pleaders of the city of London in March 1804; and in April 1817, he was elected recorder of Reading, which office he held until appointed a baron of the exchequer in 1829. He was an ardent admirer of the literature of the olden times. The Roxburghe Club (of which he was one of the original members) was suggested at a dinner party which took place at his house, on the 4th of June, 1812, shortly after the memorable sale of the duke of Roxburghe's library in 1812; and his name is of frequent occurrence in Dr. Dibdin's bibliographical works, as an ardent collector of early printed books. He is the Hortensius of Dr. Dibdin's Bibliomania. He was the member of the Roxburghe Club who volunteered to furnish the first reprint to his associates. This was lord Surrey's poetical version of the Second Book of the Æneid, (the first specimen of blank verse in our language,) presented to the members in 1814.

17. At Windsor-castle, aged 69, Miss White, housekeeper at that palace.

— At Nockholt, near Sevenoaks, aged 68, William Ricketts, esq. a retired rear-admiral R. N.

— Aged 72, William-Selby Lowndes, esq. of Whaddon-hall and Winslow, Buckinghamshire, formerly M.P. for that county, from 1807 to 1820.

18. At Bath, aged 64, Frederick Hickey, esq. post-captain R.N. He was in command of the Atalanta when she was wrecked off Halifax, Nov. 10, 1813.

19. At Emral, his seat in Flintshire, in his 75th year, sir Richard Puleston,

bart. He was the only son and heir of Richard Parry Price, of Bryn-y-pys, co. Flint, and Castle Lions in Ireland, esq. by Anne, daughter of John Puleston, of Peckhill, esq. and sister and heir of John Puleston, esq. of Emral. Pursuant to the will of his maternal uncle, he took the name and arms of Puleston, by royal sign manual, in 1812; and was created a baronet in 1813.

— At Cardigan, aged 42, the rev. John Blackwell, B. A. rector of Manerdiuy, Pembrokeshire, a living presented to him by lord Brougham, then lord Chancellor, who, having heard of Mr. Blackwell's fame as a Welsh scholar, and also as an able, eloquent, and powerful preacher, conferred unasked this benefice upon him. His lordship afterwards engaged him to undertake the editorship of the "Cylchgrawn," a magazine on the plan of the "Penny Magazine," published by the society for Diffusing Useful Knowledge. The "Cylchgrawn" was conducted with great ability; and will remain a lasting monument of Mr. Blackwell's great command of the Welsh language.

— At Fratton, near Portsmouth, in his 79th year, Mr. Josiah Oake, late master of H. M. yacht the Royal George for upwards of twenty years.

20. In Chapel-place, Oxford-street, aged 63, Mr. Samuel Plank, who was for nearly 30 years connected with the old police establishment, and for a considerable portion of that time chief constable at Marlborough-street.

21. At Leamington, major-gen. Alex. Macdonald, C.B. and K. St. A.

26. At his residence, No. 9, Rue d'Aguesseau, Paris, aged 76, sir Wm. Sidney Smith, G.C.B. admiral of the Red, and lieutenant-general of the Royal Marines; K.S. and K.F.M. He was the third and youngest son of capt. John Spencer Smith, of Midgham, Sussex, gentleman usher to queen Charlotte. His mother was Mary, daughter of Pinkney Wilkinson, esq. an opulent merchant. Sir Sidney was born in Park-lane, Westminster. He soon manifested a great taste for the sea-service, and was sent, before he was twelve years of age, as a midshipman on board the Sandwich, under lord Rodney. At the age of sixteen he was made a lieutenant, into the Alcide 74; and at nineteen a post-captain. As at the latter period the American war was just brought to a close, he had no opportunity of acting in the navy of his own country; but war breaking out between Russia and Sweden, captain Smith applied for leave to serve in the navy of the latter power. He was present at the engagement between the duke of Sudermania and the prince of Nassau, and was, for his conduct and bravery in that action, honoured with the order of the sword. From that time he was called sir Sidney Smith. A peace between Sweden and Russia again threw him out of active life, and he travelled into the south of Europe. Hearing that lord Hood had got possession of Toulon, he hastened thither, and offered his services. Soon after his arrival it was determined to evacuate the city; and the destruction of the ships-of-war, which could not be carried off, was entrusted to sir Sidney. He succeeded in firing ten ships of the line, the arsenal, and mast-house; but much of these were saved by the exertions of the French. On his return he was appointed to the command of the Diamond, a fine frigate, and had a small flotilla under his command, with which he did very considerable mischief to the enemy. In a gallant attempt to cut out a ship at Havre-de-Grace, he was taken prisoner to Toulon, and, on pretence of his having violated the law of nations, in landing assassins in France, he was detained a prisoner. After two years confinement, he escaped, by means of a French officer, named Phillippeaux, who accompanied him to England, and then to the east. In 1798 he sailed in the Tigre, of 80 guns, for the Mediterranean; he arrived at Constantinople, and then sailed with a small squadron to Egypt. Buonaparte having marched to Syria, sir Sidney repaired to Acre, and by his astonishing exertions he preserved the place. Buonaparte having quitted Egypt, sir Sidney negociated with general Kleber for the evacuation of the country, and a treaty to that effect was signed at Al Arisch, which however was not ratified. In the battle which proved fatal to Abercromby, he received a wound; and soon afterwards, on account of the jealousy manifested towards him by the Turks, he returned to England. At the latter end of the year, he received a valuable sword, with the freedom of the city, from the corporation of London; and at the general election, in 1802, he was returned to parliament as one of the representatives of the city of Rochester. During the short time he

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sat in parliament, he spoke on various occasions.

As soon as the French war broke out, he offered his services, and was appointed to the Antelope, of fifty guns, with the command of a flying-squadron, which was engaged in protecting the British Channel coast, and intercepting the French flotillas in their passage from one port to another; in the performance of this duty he displayed his accustomed activity. In 1805 he was raised to the rank of rear-admiral of the Blue, and in the following year he hoisted his flag on board the Pompey, of 80 guns, in which he proceeded to the Mediterranean. On reaching that station, lord Collingwood gave him the command of a small squadron intended to harass the French in the kingdom of Naples, which they had recently conquered: with this force he compelled the island of Capri to surrender, and severely annoyed the enemy. In 1807, sir Sidney was employed to blockade the Tagus; but, on the prince regent of Portugal resolving to remove to the Brazils, the British admiral dispatched him with four sail-of-the-line to accompany the Portuguese fleet. He was promoted to the rank of vice-admiral in July, 1810; but did not hoist his flag until the summer of 1812, when he was appointed second in command in the Mediterranean. In 1814 he endeavoured ineffectually to procure, from the congress of Vienna, the abolition of the slave trade, and a conjoint attack of the sovereigns upon the piratical states of Barbary.

Sir Sidney received for his services a pension of 1,000*l.* a year, and the grand cross of the bath. He attained the rank of admiral in 1821, and was appointed lieut.-general of Marines in 1830, succeeding therein his late majesty, William IV. He married in 1809, the widow of sir George Rumbold, formerly British consul at Hamburgh.

27. At East-lodge, Enfield Chase, in her 84th year, Elizabeth, widow of the hon. Wm. Fullarton Elphinstone, great uncle of lord Elphinstone.

— At Florence, in her 19th year, Charlotte, second daughter of the hon. Robert H. Clive, M.P.

28. At Maeslough castle, co. Radnor, aged 30, Walter de Winton, esq. M.P. for that county.

— In Hyde-park barracks, in consequence of his horse falling upon him in the park six days before, aged 26, Robert Waller Otway, esq. capt. R.N. eldest son of adm. sir Robert Waller Otway, bart.

29. At Hanover-terrace, Regent's-park, sir William Henry Palmer, the third baronet, of Castle Lackin, co. Mayo.

30. In New Burlington-street, aged 94, the right hon. Mary, countess dowager of Cork and Orrery. Her ladyship was the youngest child of John Monckton, first viscount Galway, who was born in the seventeenth century (1695). In 1786 she became the second wife of Edmund seventh earl of Cork, who died in 1798, leaving issue only by his first lady. During her long life, she had seen five viscounts Galway in succession after her father. This lady, whose later years have been distinguished by very eccentric habits, was the "lively Miss Monckton," spoken of in "Boswell's Life of Johnson." While still young and unmarried, she had made the house of her mother, lady Galway, the rendezvous for persons of talent and genius. She introduced the Kembles at once to the station in society which Garrick had won with great difficulty, and literary men were generally glad to avail themselves of those benefits which Johnson himself did not disdain.

— Harriet, the wife of E. R. Clark, esq. of Brompton, formerly the beautiful Miss Cope, niece of the late gen. C. Stevenson.

31. At Aberdeen, aged 70, sir Alex. Bannerman, the sixth bart. of Elsick, co. Kincardine.

— At Shepton, John Scott, aged 105, When 100 years old he reaped an acre of wheat in two days.

Lately. At Edinburgh, Harriet, youngest daughter of lord Meadowbank.

— At Ayr, aged 92, lieut.-col. George Mackenzie, youngest son of the late sir Lewis Mackenzie, of Scatwell, and late of the 72nd Highlanders.

JUNE.

2. At Lathom-house, after a long illness, the right hon. Mary Elizabeth lady Skelmersdale.

— At Macao, in China, of dysentery, in his 43d year, lord Henry John Churchill, post captain R.N. commanding H. M. ship Druid; only surviving brother to the duke of Marlborough.

DEATHS.—June.

2. At Baden-Baden, the right hon. Stephen Woulfe, chief baron of exchequer in Ireland. He was appointed third serjeant in 1834; solicitor-general of Ireland 1836; attorney-general 1837; chief baron 1838.

3. At Thame, in his 85th year, Sackville Bale Lupton, esq. surgeon; one of the earliest members of the Geological society. He was the first introducer of vaccination into this part of the county, and published some curious particulars respecting it, in a letter to the late sir Christopher Pegge, of Oxford. He was the descendant of an old family originating from Lupton, near Kirby Lonsdale.

4. By drowning himself in the Regent's canal, Mr. St. George Gregg, author of a poem called "Ambition," a work on the currency, and several others.

—. At his residence at Ardwick, near Manchester, aged 65, the very rev. Thomas Jackson Calvert, D.D. warden of the collegiate church of Manchester, and rector of Holme Spalding, Yorkshire.

6. At the seat of the hon. colonel Howard, in the county of Wicklow, the hon. Amelia, wife of Robert Deane Spread, esq., great aunt to viscount Powerscourt.

— At Kingstown, the right hon. Frances Letitia viscountess de Vesci, fifth daughter of the late right hon. William Brownlow.

— In Wilton-crescent, aged 90, gen. sir Henry Pigot, colonel of the 38th regiment, and G.C.M.G.

7. At Berlin, in his 70th year, Frederick-William III., king of Prussia, margrave of Brandenburgh, and sovereign duke of Silesia, sovereign of the orders of the black and red eagle, &c., and a knight of the garter. His majesty was the eldest son of Frederick-William II. by his second wife, the princess Frederica-Louisa of Hesse Darmstadt. He ascended the throne November 16, 1797. The singular vicisitudes of disaster and triumph which distinguished one portion of this prince's reign, as well as the mild, firm, and enlightened administration, for which the latter years of his government were remarkable, are matters of European history. The late king of Prussia married in 1798, Louisa-Augusta, daughter of Charles-Louis late duke of Mecklenburgh-Strelitz, and by her, who died in 1810, he had issue four sons and three daughters. His majesty married secondly, in 1824, by a morganatic or left-handed alliance, the princess Augusta of Liegnitz. His daughter, the empress of Russia, was present during his last illness; and on the morning of his death she sent a courier with a pressing letter to her husband, informing him that all hope was at an end, and that death was near at hand. At the head of the bed was the portrait of queen Louisa; the king pointed to this with a gesture to his daughter, indicating his hope of speedily joining his deceased wife in heaven. The last sacrament was administered by Dr. Eylert, the Protestant bishop. At about half-past twelve the emperor of Russia arrived. He immediately, in his travelling dress, proceeded to the bed-side of the dying king, who was become speechless, but recognised his son-in-law. The emperor knelt down, and kissed the hand of his father-in-law. At three o'clock in the afternoon there was no longer any signs of breathing. The prince royal closed the eyes of his father, and the emperor of Russia was the first to salute him as William the Fourth. The king having died on Whitsunday, when all the population were moving about, the news of the death spread rapidly. The mourning was general, and within a few hours even the poorest workmen were seen with crape on their arms. The present king of Prussia has officially published two interesting documents, left in his father's hand-writing, and both dated December 1, 1837; declaring at the same time his "resolution, with the help of God, to walk in his father's ways." The first is entitled, "My last Will.—My help in trouble, my hope in God. On thy blessing, Lord, all depends; grant it me now also for this work. When this my last will shall come to the sight of my ardently beloved children, my dear Augusta, and my other beloved relations, I shall no more be among them, but be in the number of the departed. May they, then, when they see the well-known inscription, "Remember the Departed," remember me too in love. May God be a merciful and gracious judge to me and receive my spirit, which I commend to his hands. Yes, Father, into thy hands I commit my spirit. In another world thou wilt unite us all again (may thou in thy mercy find us worthy of it) for the

sake of thy dear Son Christ, our Saviour. By the same decree of God I have had to undergo heavy and hard trials, as well in what personally concerned me (especially,) when, seventeen years ago, he deprived me of that which was the dearest to me, as by the events which so heavily afflicted my dear country. But, on the other hand, God (eternal thanks to him for it) has permitted me to live to witness glorious and happy events. Among the first I reckon, above all, the struggles gloriously endured in 1813, 1814, and 1815, to which the country owes its restoration. Among the latter, the happy and consolatory, I especially reckon the cordial love and attachment and the prosperity of my children, as well as the especially unlooked for providence of God in having given me in my fifth decennium, a companion for life whom I feel myself bound publicly to acknowledge as a child of faithful and tender attachment. My true, sincere, and last thanks to all who have served the state and me with judgment and fidelity. My true, sincere, and last thanks to all who were devoted to me with affection, fidelity, and by their personal attachment. I forgive all my enemies, even those who by malicious language and writings, or by deliberate misrepresentations, have endeavoured to deprive me of the confidence of my people, which is my greatest treasure, but, God be thanked, very seldom with success.

FREDERICK WILLIAM.

Berlin, Dec. 1, 1827.

Then follows a paper of advice to his successor. Its leading points are a warning against the love of innovation, care for the army, and for peace among all the European powers, but especially between Prussia, Russia, and Austria.

8. At Warehill, Amwell, aged 94, Mary, widow of major Henry Ware, a lady of considerable intellectual attainments.

— At Dunikier, county Fife, general sir John Oswald, G.C.B. and G.C.M.G., colonel of the 35th foot.

9. In Clarges-street, in his 63d year, the hon. sir Robert William O'Callaghan, a lieut.-general in the army, col. of the 39th foot, and G.C.B.; next brother to lord viscount Lismore.

— At Kingstown, near Dublin, the hon. Miss Westenra, grand-daughter of lord Rossmore.

12. At the Catholic monastery at Cork, aged 35, of typhus fever, Gerald Griffin, esq., author of the "Collegians," "Munster Festivities," and other popular works. He was a native of Limerick, and had latterly retired to a monastery in Cork, devoting himself to religious duties and devotions. His first literary efforts appeared in the Literary Gazette, when he was not twenty, under the signature of "Oscar."

13. At Dublin, suddenly, in his 64th year, John Crampton, M.D., honorary fellow of the Dublin college of physicians, and professor of materia medica and pharmacy on sir Patrick Dun's foundation.

— In Montague-square, the lady Mary Anne Vaughan, wife of William Vaughan, of Courtfield, county Monmouth, esq., and daughter of first earl of Kenmare.

— In Guildford-street, Mary, wife of sir Thomas Wilde, her majesty's solicitor-general.

15. At Hexham, Northumberland, lady Shafto, the widow of sir Cuthbert Shafto, of Bavington-hall.

— At Macrome-castle, county Cork, Robert Hedges Eyre, esq, This gentleman was considered the chief leader of the conservatives of the county Cork. He died possessed of immense wealth, which he distributed by his will amongst his nearest relatives.

17. Lost in the wreck of the ship lord William Bentinck, off Bombay, aged 19, Francis, fourth son of Edward Whitmore, esq., of Lombard-street, surgeon; Charles Pester Stockley, youngest son of William Stockley, esq., R. Art.; ensign Hamilton Day, youngest son of the rev. George Day, of Earsham, Norfolk; in his 17th year, Beauchamp Villiers, fourth son of W. V. Villiers, esq., of Bath, and of Tours in France; and, in his 26th year, Henry Peter, third son of J. Kempthorne, esq., of Windsor cottage, Bodmin. Lieut. Thomas Kempthorne, 26th Madras N. I., brother to the last, died about two months before, on his return from India.

— At the rectory, Highgate, the hon. Frances Hestor, wife of the rev. T. H. Causton, and sister to lord Lilford.

— Aged 88, the rev. James Wood, the senior minister of the Wesleyan Methodist connexion.

— At Madeira, aged 35, Edward Gyles Howard, esq., eldest son of the late Edward Charles Howard, esq., and nephew to the duke of Norfolk.

18. At Rouen, at an advanced age, sir Henry Protheroe. He had resided in France for many years, and was of an old Carmarthen family.

— In the wreck of the lord Castlereagh, off Bombay, aged 34, captain E. M. Earle, of the 24th Bombay N. I.

20. At the hotel de Soubise, Paris, in his 79th year, M. Pierre Claude François Daunou, peer of France, member of the Institute, perpetual secretary of the Academie des Inscriptions et Belles-lettres, and keeper-general of the archives of the kingdom.

21. At Great Malvern, aged 80, the right hon. Anne countess dowager of Haddington. She was the eldest daughter of sir Charles Gascoyne; became, in 1786, the second wife of Thomas, seventh earl of Haddington, who died in 1794; and was married secondly in 1796, to James Dalrymple, esq., a member of the Stair family, who died in 1831, without issue.

22. On the coast of China, on board one of the ships fitting out for the expedition to Chusan, colonel Henry Oglander, C. B. of her majesty's 26th regiment of foot (Camerons).

25. In the Mauritius, in his 40th year, lord Arthur Chichester, of the 87th foot, third son of the marquess of Donegal.

— At Clapham common, in his 65th year, Lytton George Keir, esq., of Bridge-street, Westminster, senior burgess for St. Margaret's in the court of Westminster.

26. In Grosvenor-street, in his 70th year, the right hon. sir Arthur Paget, a privy councillor, and G.C.B. He was the third son of Henry first earl of Uxbridge, by Jane, eldest daughter of the very rev. Arthur Champagne, dean of Clonmacnoise. He was returned to parliament for the county of Anglesey in 1794, and continued to represent it for many years. In 1799, he went as minister plenipotentiary to the elector Palatine, and minister to the diet of Ratisbon; and subsequently was appointed envoy extraordinary and minister plenipotentiary to the court of Vienna, and sworn of the privy council. On his return from this mission he received a pension of 1,700*l.*, which was subsequently increased to 2,000*l.* for his services as ambassador to the Ottoman Porte. Sir Arthur Paget married in 1809, lady Augusta Jane Fane, second daughter of the earl of Westmoreland, her former marriage with lord Boringdon (the late earl of Morley) having been dissolved by act of parliament passed two days before. By this lady, he had a family of nine children.

26. At New Zealand, the rev. J. H. Bumby, superintendent of Wesleyan missions in those islands. He had been on a visit to some of the southern stations, and on his return, having to travel part of the way, in a native canoe, the frail vessel was upset on the voyage, and Mr. Bumby and twelve natives met with a watery grave.

28. At Turtle River, North America, on his journey home, Mr. Simpson, of the Hudson Bay company, aged 32. Mr. Simpson was a native of Dingwall, in Rossshire, and had received a liberal education, having been intended for the church. While prosecuting his studies at Queen's College, Aberdeen, he greatly distinguished himself, both by the regularity of his conduct and his attainments in the various branches of literature and science to which his studies were directed. No man could be better prepared for the arduous duties which devolve upon a discoverer in the Arctic regions, and very few possessed the natural qualifications for such pursuits in an equal degree. Mr. Simpson had been for the last four years actively engaged in the prosecution of the discovery of the north-west passage. He allowed himself no relaxation, summer or winter, from the labours necessary for the accomplishment of the great object of his ambition. So bent was he on this enterprise, that he made a tender of his life and his own fortune to the Hudson's Bay company in order to complete the survey of Boothia Felix, and the great bay of islands stretching eastward to the Straits of the Fury and Hecla, should there be any demur as to the expense and difficulty of the undertaking. Unfortunately for him, he knew not that instructions had been sent out appointing him to the command of the expedition which his ardent imagination had invested with so much interest. In ignorance of this appointment, and fearful of losing another season, he was on his way to England for the purpose of laying his plans personally before the directors, and prevailing upon them to embrace his views, when his reason gave way under the excitement occasioned by the anxieties of his position, and the great fatigue and want of rest to which

he had exposed himself during the greater part of the journey homewards. From its commencement, he had exhibited occasional symptoms of mental hallucination, and on the evening of his death, had continued to push on until a late hour, and even then his feverish excitement deprived him both of nourishment and rest. When they stopped, and while in the act of encamping for the night, Mr. Simpson turned suddenly round, and shot one of his companions, a colonist of the name of Bird, through the heart, and before those around could fly from the presence of the madman, he discharged the other barrel, and mortally wounded a second, named Legros. It appears that the party, consisting in all of twenty or thirty colonists, who were also on their road to England, had separated, and when he committed the murder on his companions there were only two more present, one of them a son of Legros, who immediately fled a short distance. The dying father earnestly implored Simpson to permit his son to return and embrace him before he should die, which he agreed to, and beckoned them back, saying there was nothing to fear. On their return, Simpson accused Legros of conspiring with Bird, and asked him whether it was not their intention to assassinate him that night; the dying man said it was, but on being interrogated a second time, he denied having any intention or design of such a deed, and shortly after he expired. Simpson then ordered the two men to bridle their horses, and prepare to return with him to the settlement, but no sooner were they mounted than they dashed off in quest of the main body, and overtook them about eighteen miles a-head. They all returned in the morning, and when they had reached within 200 yards of the camp, they got a glimpse of Simpson at the door of his tent, and immediately afterwards heard the report of a gun. Supposing that he was determined to carry out the work of destruction which he had begun, they attempted to intimidate him by firing three volleys in the direction of the camp, and then approached it cautiously. When they came up they found their commander weltering in his blood, and on closer examination found that he had literally blown his head to pieces. The three bodies were committed to the same grave by their companions, who then pursued their route and arrived at St. Peter's about the 1st of July, in possession of the important papers and other property belonging to the ill-fated Simpson. Mr. Simpson had been promoted to the rank of chief trader by the Hudson Bay company, and would, had he lived, have risen to the highest distinction which they could bestow.

29. In Curzon-street, May Fair, aged 81, Edward Pery Buckley, esq. of Minestead in the New Forest, a deputy lieut. and justice of the peace for Hampshire, and master keeper of Boldrewood Forest.

— At Viterbo, near Rome, in his 66th year, Lucien Buonaparte, prince of Canino. He was born at Ajaccio in 1775. In 1793, compelled by Paoli to quit Corsica with his family, he took refuge in Provence, and in the same year was appointed keeper of the magazine of military stores at St. Maximin, in the Var, where, he married, about 1794 or 1795, Christine Boyer, the daughter of a wealthy inn-keeper. He became a commissary of the army in 1795, and two years after was elected deputy from the department of the Liamone to the council of five hundred. During this period, he maintained a constant correspondence with his brother Napoleon, then in Egypt, whose return he probably hastened, and he was certainly the chief instrument in the revolution which followed. On the proclamation of his brother as first consul, Lucien became a member of the tribunal or popular chamber created by the new constitution, and a short time after, minister of the interior, in the room of Laplace. But, great as were the services which Lucien had performed for the first consul, the two brothers were not long on brotherly terms. Both were, perhaps, equally ambitious. The one could bear no superior, the other no equal. In the month Brumaire, an 9, he was sent ambassador to Madrid. He drew immense sums from this mission; and is said to have compelled the Portuguese government to pay five millions of francs to preserve that country from a French invasion. The treaty was signed at Badajoz, on the 29th Nov. 1801. In the spring of 1802, he returned to Paris, and was outwardly reconciled with the first consul. He was next employed, in July, 1803, on a mission to the Belgic and Rhenish pro-

vinces, to take possession of the estates allotted to the legion of honour, but on his return he took a step which highly displeased the first consul. He married for his second wife, one Madame Jouberthou, the widow of a stockbroker, a woman said to be distinguished for her gallantries. This was a blow to the system of Napoleon, who had long contemplated royal alliances for his relatives. A quarrel ensued, and he was ordered to quit the French territory. It was in April, 1804, one month previous to the change of government from consular to imperial, that he hastened to Italy. The conjuncture was in one respect fortunate for him. It gave rise to an impression which he was not backward to confirm, that the cause of his disgrace was his opposition to the ambitious policy of his brother. Nothing, however, is more certain than that he was as indifferent to popular liberty as the other, and that like him, he was on nearly all occasions, guided by views of personal interest. Lucien was received with open arms by the Pope, whose gratitude he had merited by zealously supporting the Concordat. He remained at Rome until the peace of Tilsit, in 1807, when he and his brother were persuaded to meet at Mantua. A reconciliation was expected, but none took place. He was willing enough to comply with certain conditions proposed by the emperor, among which was the marriage of his elder daughter with the prince of the Asturias; but to his honour, it must be added, that he refused to sacrifice his wife, by consenting to the dissolution of his marriage, the only condition on which he could hope to enjoy the favour of the imperial despot. Lucien being no longer permitted to remain in the eternal city, retired to an estate which he had purchased at Canino. The Pope raised it into a principality, and the prince of Canino was inscribed among the Roman nobles. But he soon learned enough to be convinced, that Italy would not long remain a very safe asylum for him. He fled secretly to Civita Vecchia, and, in a vessel furnished him by his brother-in-law Murat, embarked in August, 1810, with the intention of proceeding to the United States, but was captured by two English frigates, and, in conformity with the orders of our government, was transferred to England, and conveyed to Ludlow, in Shropshire. During his three years' residence in this neighbourhood, he completed a poem upon which he had long meditated, entitled "Charlemagne, or the Church Delivered," which was first published in London, in 1814, in two volumes quarto, dedicated to Pius VII. The peace of that year having opened his way to the continent, he returned to his old friend and protector, Pius VII. Whether Lucien had any share in the plot which brought about the revolution of March, 1815, is not clear. All that is certainly known is, that he soon hastened to join the emperor at Paris, took his seat in the chamber of peers, and exhibited more devotion to the imperial cause, than he had ever done during its most prosperous days. After the disaster at Waterloo, in an attempt to proclaim Napoleon II., he was opposed by the two chambers. Events soon compelled him to leave France, and return to his family at the Villa Ruffinella, near Frescati. The remainder of his days he devoted to literature and the fine arts, and he was much respected in private life. By his first wife, Christine Boyer, the prince of Canino left one only surviving child, Letitia, who was married in 1821 to Thomas Wyse, esq. of the manor of St. John's, near Waterford, now M.P. for that city. By his second wife, Alexandrina Beschamp (Mad. Jouberthou), the prince of Canino had three sons and three daughters. The eldest son, Charles Lucien, prince of Musignano, who succeeded to his father's principality, has distinguished himself in the scientific world by his zoological researches. He married, in 1822, his cousin Charlotte, the eldest daughter, and now the only surviving child of Joseph Buonaparte, the ex-king of Spain. The other sons are Louis and Pierre. The daughters are Charlotte, married to the prince Gabriella; Christine, married first to an Hungarian nobleman, and secondly, in 1826, to lord Dudley Coutts Stuart; and Constance, a nun.

— At his house, in Edinburgh, John Shaw Stewart, esq., sheriff of Stirlingshire, brother to the duchess of Somerset.

Lately. In Gloucester-place, the hon. Maria Charlotte, widow of William Tennent, esq., and sister to the earl of Yarborough.

— At Cork, Arthur Palk, esq., ensign in the 32nd foot, son of sir Lawrence Palk, bart., of Haldon House,

Devonshire. He fell from his horse when taking his accustomed ride, and while down one of the horse's feet struck him on the head, and fractured his skull.

— At Hanover, to which city he came, for the purpose of performing an operation on the eyes of the crown prince, the celebrated Dr. Graefe, of Berlin, a privy councillor of the kingdom of Prussia. He has left the enormous fortune of 3,600,000 Prussian dollars, equal to more than half a million sterling, which he amassed almost entirely by his exertions in his profession.

JULY.

1. Of apoplexy, whilst entering the court-house at Carlisle, for the discharge of his duties as chairman of the Cumberland quarter sessions, in his 62nd year, Francis Aglionby, esq. of Nunnery, M.P. for the eastern division of the county of Cumberland.

— At Hanover, aged nearly 80, John Heinrich Ramberg, the court painter. He was once deservedly celebrated as a caricaturist and humourist.

5. At Courtown, co. Wexford, aged 45, lieut.-colonel the hon. Edward Stopford, brother of the earl of Courtown.

— At Perrin-castle, in his 39th year, the rev. sir Francis Lynch Blosse, the ninth baronet, of Castle-Carra, co. Mayo (1622).

— In St. James's-palace, in his 84th year, the right hon. Charles George Perceval, baron Arden of Lohort-castle, co. Cork, and baron Arden, of Arden, co. Warwick, a privy councillor, lord-lieut. and custos rotulorum of the county of Surrey, &c.

6. At Aston Clinton, aged 78, George Rowland Minshull, esq. a bencher of the Inner-temple, formerly receiver-general of the county of Buckingham, and one of the magistrates of Bow-st., London, for nearly twenty years.

7. At sea, on his passage from Bombay, aged 25, Stair, sixth son of sir Robert D. H. Elphinstone, bart.

— In India, lieut. Walpole Clarke. He was the youngest son of the late rev. Dr. Edward Daniel Clarke, of Cambridge. He fell in a desperate fight with an overwhelming force of Beloochees, with the whole of his infantry, consisting of seventy men of the 5th Native Bombay Infantry.

— At his villa at Brompton, Henry Hall Joy, esq. of Hartham-park, Wiltshire, M.A. one of her mejesty's counsel and a bencher of the Inner-temple.

— At Malvern, in his 59th year, the right rev. John Banks Jenkinson, D.D. lord bishop of St. David's, dean of Durham and of Brecon, and official visitor of St. David's College, Lampeter. He was the second son of colonel John Jenkinson, joint secretary for Ireland, and brother to Charles, first earl of Liverpool. He was matriculated of Christ Church, Oxford, in 1800. For his professional success he was of course principally indebted to the influence of his cousin the late earl of Liverpool, prime minister. In 1817 he was appointed dean of Worcester; in 1825 he succeeded bishop Burgess, as bishop of St. David's, and a prebendary of Durham; and in 1827, on the death of Dr. Hall, he received the valuable deanery of the latter church.

9. At Coplaw-hill, near Glasgow, aged 76, Mrs. Irving, relict of the late Gavin Irving, esq. and mother of the late celebrated rev. Edward Irving, of London.

10. At Millport, the hon. Joanna Sempill, second daughter of John, thirteenth lord Sempill.

12. In Montague-place, aged 78, sir Robert Baker, bencher of the Inner-temple, formerly chairman of the Westminster sessions, and chief magistrate at Bow-street, and, until lately, treasurer for the county of Middlesex, and deputy-governor of the South Sea Company. He was called to the bar at the Inner-temple in 1786: was for some time police magistrate at Great Marlborough-street; and on being removed to Bow-street, was knighted in 1820.

13. At Harewood House, aged 47, lady Charlotte Douglas, sister to the earl of Morton, and niece to the earl of Harewood.

14. At Brussels, aged 75, sir George Pocock, of Hart, co. Durham, bart. F.R.S.

16. In his eighteenth year, by accidentally falling from a steam-boat in the river, Edward Wheatley St. John Mildmay, eldest son of E. St. J. Mildmay, esq. Bishop's Hall, Essex.

19. At Tackley Park, in her 75th year, Jane, widow of sir James Whalley Smyth Gardiner, bart.

— At Paris, aged 40, Charlotte, daughter of the late hon. Henry Colone Count Dillon, and sister to her late

highness the duchess de Croy-Dulmen.

20. Three days after the birth of a son, the wife of the rev. H. M. Wagner, vicar of Brighton, daughter of Joshua Watson, esq.

— Count Anastase Dunin, this ill-fated Polish nobleman was one of the two individuals drowned at Boulogne on the occasion of the late attempt of prince Louis Napoleon on that coast. He belonged to a family whose name occurs frequently and conspicuously in the annals of Poland. At the revolution of November 1830, he entered as a private the ranks of a corps then forming under the orders of the brave general Dwernicki. He subsequently rose to the rank of a captain, and the bulletins of the battles of Hoczek, Nowawics, Pulawy, Konskawola, Kurow, and Beremel, brought his name honourably forward. Upon the termination of the struggle he went to Paris; but was subsequently obliged to seek refuge in England, in 1836, as one of those who, at the request of the Russian ambassador, were expelled from France for having formed themselves into a body called the Confederation, and resided here up to the period of the unfortunate expedition of prince Louis Napoleon. He was born in 1802, and completed his 38th year on the day of his death.

22. At his seat, Woodchester, near Cirencester, in his 65th year, the right hon. Thomas Reynolds Moreton, first earl of Ducie, and baron Moreton.

25. At Ecclesfield Vicarage, Yorkshire, aged 72, the rev. Alexander John Scott, D.D., vicar of Catterick, Yorkshire. He was formerly a chaplain in the navy, and when serving in the Victory, at Trafalgar, it fell to his lot to soothe the last moments of the dying Nelson.

28. At Cowes, aged 48, the right hon. John George Lambton, earl of Durham, viscount Lambton, a privy councillor, G.C.B., &c. &c. The earl of Durham was the eldest son of William Henry Lambton, esq., of Lambton Castle, the representative of a very ancient family in the county. By the death of his father, in 1797, he became possessed, at the early age of five years, of the valuable family property. He was educated at Eton; served in the tenth hussars; and at the age of twenty, married Miss Harriet Cholmondeley, by whom he had three daughters, all now deceased On attaining his majority, in 1813, he was a successful candidate for the representation of his native county. His maiden speech was delivered on seconding a motion for an address to the crown, against the transfer of Norway to Sweden; and in the whole of his subsequent parliamentary life, he showed himself a strong and consistent supporter of whig politics. In 1827, he supported Mr. Canning's ministry; and on the dissolution of lord Goderich's cabinet, in 1828, Mr. Lambton was raised to the peerage, by the title of baron Durham, of the city of Durham. On the formation of earl Grey's government, in 1830, he became a member of the cabinet, as lord privy seal, and had entrusted to him, with lord John Russell, sir James Graham, and lord Duncannon, the preparation of the reform bill. But his health or temperament would appear to have been unequal to the cares and bustle of ministerial life, and on the 12th of March, 1833, he retired from the administration, and was raised to the dignity of an earldom. Lord Durham was sent, in the summer of the same year, on a special mission to the emperor of Russia, for the purpose of endeavouring to soften the rigour of the vindictive proceedings against the brave but ill-fated Poles. His mission of mercy, however, failed in its benevolent design, and he returned to England. In 1834, he was present at the great dinner in Edinburgh given to lord Grey, and his observations in reply to lord Brougham, obtained the enthusiastic approbation of the meeting, and caused lord Durham to be generally hailed as the leader of the movement. In 1835, lord Durham returned to Russia, as ambassador, and remained there till the summer of 1837, when he returned to England; and in the following year, he went out as governor-general to Canada, entrusted with powers of the most extraordinary character. Finding himself not so well supported as he expected by the ministry, he returned home the same year. On all occasions, the earl of Durham was equally ready with his services and his purse. He subscribed largely towards the indemnification of sir Robert Wilson, and gave a thousand guineas to the Spanish committee when a subscription was entered into at the Crown and Anchor, for the constitutional cause in Spain. In

his contests for the county, he spent enormous sums. By his first wife, the earl of Durham had three daughters, and by his second, lady Louisa, daughter of earl Grey, two sons and three daughters. His eldest son, the subject of the well-known picture of Lawrence, died of consumption in 1831; and the same fatal malady carried off his third daughter, in 1832; the second in 1833, and in Dec. 1835, his eldest daughter, who had been married only three months before to the eldest son of lord Duncannon. About six weeks before his death, lord Durham was abont to proceed to the south of Europe, for the benefit of his health; when, becoming worse at Dover, he changed his course for the Isle of Wight, where he was carried off by a sudden and unexpected attack of a few hours' duration. His lordship is said to have made a will by which his property is as far as possible bequeathed to the countess, who is left sole executrix.

— At Cheltenham, the right hon. Augusta lady Rossmore. She was the fourth daughter of Francis, late lord Elcho.

— At Bath, aged 37, sir Lewen Powell Glyn, the third baronet (1759).

30. At Cowes, Isle of Wight, aged 54. William Venables, esq., of Arlington-street, alderman of the ward of Queenhithe, in the city of London, a director of the London joint stock bank, and F.S.A.

— Aged 70, the rev. Matthew Marsh, B.D., canon residentiary and sub-dean of Salisbury, chancellor of the diocese, and rector of Winterslow. He was distinguished for his great learning and attainments, and was one of the first classical scholars of his day.

31. At Portglenone House, co. Antrim, the palace of the bishop of Meath, his eldest son, the rev. Robert Alexander, rector of Aghoghill, and formerly archdeacon of Down.

Lately. At Clifton, at an advanced age, the hon. Charlotte Newcomen, sister to the last lord viscount Newcomen.

— At Sunninghill, aged 78, Mark Singleton, esq., formerly storekeeper of the ordnance, and son-in-law of the celebrated Charles first marquis Cornwallis, governorgeneral of India, having married his lordship's only surviving daughter, lady Mary Cornwallis, in Nov. 1785. He was returned to parliament for the borough of Eye at the general election of 1796.

AUGUST.

1. At Athens, professor Müller, of the university of Göttingen. Carl Otfried Müller was born in 1797 at Brieg in Silesia, where his father was then stationed as army chaplain. Young Müller attended the gymnasium of that place, and in 1813, went to the university of Breslau, which he left in 1815, for that of Leipzig. His researches in mythology led to the publication of his first work, in 1817, under the title of "Ægineticorum Liber," which was the occasion of his being called in the same year to the Magdalenum at Breslau. While his public duties called upon him for the application of his time and talents to the ancient languages, he yet found leisure to engage in an analysis of the whole circle of mythology, with the view of disentangling the historical from the allegorical, and of preserving the right line between them. This attempt was given to the world in 1820, in his work, "Uebur Orchomenos und die Minyer," which forms the first volume of his "Geschichte Hellen. Stämme und Städte." He was called to Gottingen, in 1819, to fill the chair of Archæology, and shortly after, that of the Archæology of art. His work "Die Dorier," (published at Bre lau, in 1824, and translated into English, at Oxford, in 1830), forms the second and third volumes of his "Geschichte Hellen. Stamme." The favourable reception which this work experienced determined the author on a closer investigation of the structure which he had raised, on which account he deferred the continuation relating to Athens to a later period. It was just on this part of his work that he was indefatigably engaged, and at Athens itself, that the hand of death arrested him in the midst of his career. Besides several other valuable treatises on mythology and archæology, his work on the Eumenides of Æschylus, as has been well observed by the English translator, is an admirable specimen of the author's searching and comprehensive spirit of inquiry, and claims the attention of every person who would fully understand the drama of Æschylus. Professor Müller was taken ill some days before his death at Delphi, where he exposed himself very much to the sun, copying inscriptions for hours together, during the heat of the day. He had made an excavation along the poly-

gonal wall, which supports the basement of the great temple, by which he had discovered a number of new and long inscriptions. He likewise discovered some subterraneous chambers under the site of the temple, but he was unable to extend his excavations, as they were under the houses of the peasants. The foundation of his illness, however, was laid by his over-exerting himself at Athens, in copying the modern plan of Athens by the architects. He was buried on the summit of the little hill, above the academy.

3. At St. Germain en Laye, lieut.-col. Francis Plunket, second son of baron Plunket, and brother to the late right rev. Dr. Plunket, bishop of Elchin.

— In Hill-st., Berkeley-square, the right hon. Laura countess Cornwallis. She was the daughter of Mr. W. Hayes, and was married in 1829, to the earl of Cornwallis, being his second wife.

6. At Brighton, aged 38, the lady Ratcliffe Eyre, youngest sister of the earl of Newburgh.

7. At Southampton, aged 81, lieut.-general John M'Nair, C.B.

8. At Oxford, in his 70th year, the rev. Henry Woodcock, D.D., canon of Christchurch, prebendary of Salisbury, and rector of Michelmarsh, Hants.

13. Suddenly, of apoplexy, at Croney's tavern, Dublin, aged about 50, sir Jas. Webster Wedderburne, knt.

18. At Eling, Freeman William Eliot, esq., of Eling, uncle to the earl of Erroll. He had fallen asleep whilst reading in bed, and was burnt to death.

20. At Chalons sur Marne, on his way homewards from Wisbaden, in his 62nd year, the right hon. George Canning, baron Garvagh, of Garvagh, co. Londonderry; lord-lieutenant of the co. of Derry, F.R.S. and F.S.A.

— At Moorhouse, Eaglesham, aged 85, Mr. John Pollok, father of the late Mr. Robert Pollok, author of "The Course of Time."

— At Broadstairs, in his 72nd year, the right rev. William Otter, D.D. lord bishop of Chichester, F.L.S. William Otter, fourth son of the rev. Edward Otter, was born at his father's vicarage, Cuckney, Notts, in 1768. He was educated at Jesus College, Cambridge, and took the degree of B.A. in 1790; in the examination of which he attained the honour of fourth wrangler. He was ordained to the curacy of Helstone, in Cornwall, from which place he was recalled into a residence at Jesus College, having been elected fellow, and subsequently appointed tutor. In 1804, he became rector of Colmworth, in Bedfordshire. In 1811, he was presented to the rectory of Chetwynd, Shropshire, and in 1814 to the vicarage of Kinlet in the same county. In 1812, he entered into a controversy with the late bishop of Peterborough, respecting the Bible Society, and published several pamphlets in vindication of churchmen who become members of it. He was also the fellow-traveller of Mr. T. R. Malthus and Dr. E. D. Clarke, in the north of Europe, &c. and published in 1825 the life and remains of Dr. Clarke. In 1830, he was appointed the first principal of King's College, London, and in 1836, was consecrated bishop of Chichester. His services rendered to the church in all these capacities were valuable and important; and when it is considered that his bodily powers had begun to exhibit the usual effect of severe mental labour before he was appointed to the see of Chichester, it must be acknowledged that he exerted himself in a high degree to carry on, in concert with his able colleague, the dean of Chichester, various improvements in the condition and economy of the diocese. To Dr. Otter and Dr. Chandler, the diocese is chiefly indebted for the establishment of the Theological Seminary and the Training School for masters of the National Schools.

25. At Cheltenham, aged 19, Mary, youngest daughter of the late George Newnham Collingwood, esq. of Hawkhurst, Kent, and granddaughter of admiral lord Collingwood,

— At Londonderry, the right rev. Dr. M'Loughlin, Roman Catholic archbishop of Derry.

26. Aged 54, the hon. Dudley Stewart Erskine Macdonald, son of Alexander, first lord Macdonald.

27. At Donore, co. Kildare, at the great age of 133 years, Mrs. Martha Rorke.

30. At Oxford, aged 79, William Bragge, esq. late Fellow of New College, and for thirty-six years steward of that society. He took the degree of M.A. 1797.

31. At Salisbury, aged 63, Mr. Tho. Neate, well known for many years in the agricultural world as the proprietor of Neate's Cure-all, and other medicines for cattle.

Lately. At Paris, the princess de Laval

Montmorency, widow of the prince duke Adrian de Laval Montmorency.

Lately. In Baker-street, aged 56, colonel Robert Torrens. Colonel Torrens was a native of Ireland. He was appointed first lieutenant in the Royal Marines at the age of fourteen, Nov. 18, 1797. He afterwards served in the Peninsula, where he was appointed colonel of a Spanish Legion. He was promoted to the rank of lieut.-colonel in 1819, and to that of colonel in 1837. His last employment was that of major-general to her majesty's troops in the East-Indies. Colonel Torrens was the author of various publications, chiefly on politics and political economy.

SEPTEMBER.

1. At Bushy Grove, Campbell Maroribanks, esq. for many years one of the directors of the East-India Company.

4. At Clifton, colonel Henry Sullivan, C.B., late of the 6th regiment.

9. At Bagnères de Bigorre, near Paris, aged 72, lieut.-general Benjamin Gordon, of Balbithan, co. Aberdeen.

— At his residence in Henrietta-street, Cavendish-square, in his 64th year, lord Mark Robert Kerr, a vice-admiral in the royal navy, uncle to the marquess of Lothian, and father of the earl of Antrim.

10. At Deer-park, near Honiton, aged 49, lady Isabella Mary, wife of W. M. Smythe, esq., and sister to the earl of Wicklow.

— At Swansea, in her 16th year, Georgiana, 2nd daughter of the hon. John Knox, and niece to the earls of Ranfurley and Kilmorey.

14. At Bath, aged 75, lady Dacres, relict of vice-admiral, sir R. Dacres, G.C.H.

16. At Reigate, in his 84th year, Ambrose Glover, esq. F.S.A. for many years a solicitor there, of the highest respectability and repute.

17. In her 70th year, Catharine, widow of sir John Macartney, bart. She was a daughter of the right hon. Hussey Burgh, chief baron of the exchequer in Ireland.

19. At Salcombe, Devonshire, aged 48, the rev. Charles Egerton Dukinfield, vicar of Edenhall, Cumberland; brother to sir J. L. Dukinfield, bart.

21. At Chellesworth House, Suffolk, aged 71, sir Robert Pocklington, knight of the imperial military order of Maria Theresa, and formerly of the 15th hussars.

21. In his 91st year, the right hon. John Gordon, viscount of Kenmure and lord of Loehinvar (1633). His lordship was the second son of John Gordon, esq. of Kenmure, an officer in the army, who died at Liverpool, in 1769, by lady Frances Mackenzie, only daughter of William fifth earl of Seaforth. His lordship was restored to the peerage of his ancestors in 1824, by king George the fourth, at the same time as the earls of Marr and Airlie, and viscount Strathallan. The dignity had been forfeited upon the rebellion of 1715, by his grandfather William the sixth viscount, who was beheaded on Tower Hill, Feb. 24, 1716. His lordship was married but had no issue. He is succeeded in his titles by his nephew, lieut. Adam Gordon, R.N., who is unmarried, but has four brothers.

22. At Clarence-house, St. James's, in her 72nd year, her royal highness, the princess Augusta Sophia, aunt to her majesty, the queen. The princess Augusta was the sixth child and second daughter of king George the third and queen Charlotte, and was born at Buckingham-house, Nov. 8, 1768. The sweet temper and amiable disposition of her royal highness, both in childhood and after life, made her at all times a favorite with the various branches of the royal family; nor was she the less distinguished by benevolence of disposition, and general goodness of heart. The princess, a few days before her decease, sent tokens of remembrance to all the branches of the royal family, and presented all her domestics, who were much attached to her, with a copy of her portrait. Throughout the progress of her painful malady her royal highness exhibited the greatest resignation, fulfilling, in the intervals of freedom from suffering, her religious and devotional duties. Her last moments were attended by all the royal family in town—viz., the queen dowager, the duchess of Gloucester, the princess Sophia, the duke of Sussex, and the duke of Cambridge. On the evening of the 1st Oct. her remains were privately removed from St. James's-palace to her house at Frogmore, and on the following day, at seven o'clock in the evening, were interred with the usual formalities in St. George's chapel, Windsor.

22. At Cheltenham, Mary, wife of John Macleod, esq., of Rasay, and only daughter of major-general sir D. Macleod, C.B .K.C.H.

25. In Somers'-town, aged 67, Dr. Antonio Puigblanch, one of the most distinguished of the Spanish emigrants. He was born at Mataio, in Catalonia, in 1773, and obtained great celebrity by his work entitled "The Inquisition unmasked."

26. At Pegwell cottage, near Ramsgate, in his 81st year, the right hon. sir William Garrow. Sir William was a native of Monkton Hadley, in the county of Middlesex, and the second son of the rev. David Garrow, who conducted a school in that village for many years. Mr. Garrow was called to the bar in 1783. He soon distinguished himself by his acuteness at the sessions, and as an examining counsel in the court of king's bench. He was advanced to the grade of king's counsel in Hilary term 1793; and appointed attorney-general to the prince of Wales in March 1805. He was returned to parliament for the borough of Gatton in that year at the general election of 1806 for Callington; and at that of 1807 for Eye. He was appointed solicitor-general to the king in 1812; attorney-general in 1814; chief justice of Chester in the same year, and a baron of the court of exchequer in 1817. He resigned that office at the commencement of 1832; and in compliment to his long and valuable judicial services, was sworn a member of the privy council on the 22d of February, from which period he continued to live in retirement. Sir William has been a widower for more than thirty years, and has left but one daughter.

Aged 26, Mr. George Ellis Inman. This gentleman, who suddenly put a period to his existence in St. James's-park, had been for some time a contributor to various periodicals, besides being the author of several popular ballads.

— In Regent-street, aged 67, James Lawrence, esq., who as a knight of Malta, sometimes styled himself sir James Lawrence, and on the continent, where he principally resided, the chevalier de Lawrence, author of a work on "The Nobility of the British Gentry, or the Political Ranks and Dignities of the British Empire, compared with those on the continent"; "The Empire of the Nares, or the Rights of Woman": an Utopian Romance, published in German at Berlin 1801, and in English at London 1811, 4 vols. 12mo.; and also in French, and other works.

30. At a very advanced age, sir Ross Donnelly, K.C B., admiral of the blue.

Lately. At Colne Waterside, aged 108, Robert Robinson, a native of Scotland. He was borne to his grave by Highland soldiers in full uniform.

— At Cambridge, aged 93, Mrs. Favell. Five of her sons devoted the best part of their lives to the service of their country; and three of them fell in action. When the national rejoicings took place upon the declaration of peace, in 1815, Mrs. Favell displayed alike her patriotic and maternal feelings in a transparency inscribed—"I rejoice for my country, but mourn for my sons."

OCTOBER.

2. At Richmond, the countess Bathyany, aged 79. She was of a noble Hungarian family, and has left two sons.

6. At Whitby, where he had practised as a physician, with distinguished reputation and success, for more than forty-two years, William Campbell, esq. M.D., in the 78th year of his age.

8. At Interlacken, in Switzerland, aged 14, Louisa Evelyn, youngest dau. of lieut.-col. Rowley. She was descending a mountain near the town, with her father, her sister, and brothor, when she fell, was precipitated to the bottom, and killed on the spot.

— At his seat, the Wilderness, Kent, in his 82d year, the most hon. John Jeffreys Pratt, first marquess Camden, K.G., a privy councillor, lord lieutenant and custos rotulorum of the county of Kent, LL.D. F.S.A. &c. &c. Marquess Camden was the only son of Charles, first earl Camden, some time lord high Chancellor of England, and afterwards lord president of the council. He was educated at Trinity college, Cambridge. Shortly after coming of age, he was at the general election of 1780, returned to parliament as one of the members for Bath; and in the same year he was appointed one of the tellers of the exchequer, which office he held for the extraordinary period of sixty years. He succeeded his father in the peerage in 1794, and in 1795 was sent to Ireland as lord-lieutenant, in which post he remained till 1798, when the marquess

Cornwallis was appointed his successor. Earl Camden was secretary for the colonies from May 1804 to July 1805, and president of the council from the latter date to Feb. 1806, and from March 1807 to April 1812. In 1834 he was elected chancellor of the University of Cambridge. For some years he was master of the Trinity House, which honourable post his lordship resigned to the duke of Wellington, we believe in 1837. It has already been noticed that lord Camden, held the lucrative office of teller of the Exchequer for sixty years. During almost half that term he patriotically resigned the large income arising therefrom, an amount of sacrifice reaching at the last quarter to upwards of a quarter of a million of money. The formal thanks of parliament were, we believe, voted to the noble Marquess for this disinterested conduct, but those of the country at large have scarcely been expressed with sufficient earnestness. The act, however, will hereafter assuredly shed more lustre round the memory of the marquess Camden than the various important situations he filled, or even the unvarying consistency of his political career. Lord Camden married in 1785, Frances, daughter and sole-heiress of William Molesworth, esq., and by her had issue one son and three daughters.

10. At Southampton, aged 17, lady Mary Butler, youngest sister of the marquess of Ormonde.

12. At Camerton, Somersetshire, the rev. John Skinner, M.A., rector of that parish, and F.S.A. Mr. Skinner was a very zealous and enthusiatic investigator of the early antiquities of Britain, and he formed a very large collection of Roman and native antiques discovered in the various settlements in his vicinity. His diary consisted of 140, or 150 MS. volumes, which he left to the British Museum, on condition of its being locked up for fifty years. Mr. Skinner had been in a declining state of health for some weeks previous to his death, and his mind had been very much affected, so much so that in a paroxysm of derangement, he suddenly terminated his painful disorder by discharging a pistol through his head.

14. At Waterford, Mrs. Catharine Lacy, aged 112 years. She retained her faculties unimpaired till within a few hours of her dissolution.

15. At Ripon, aged 90, Louisa, relict of Richard Strangwayes, esq. of Well, in the county of York, and daughter of Thomas Strangwayes, esq. of Barham wood, near Elstree, Herts. This lady was one of the co-heiresses to the ancient barony of Berners, which title was restored on petition to her cousin, Robert Wilson, esq., of Didlington hall, Norfolk, in 1832.

16. At Croydon, aged 36, Charles Fitzwilliam White, esq., of the Journal-office, House of Commons, eldest son of Charles White, esq., of Aberannell, near Builth.

17. At Bawtry, the hon. Elizabeth-Mary Monckton, eldest daughter of Robert, fourth viscount, and aunt to the present viscount Galway.

— At Bath, aged 83, Miss Maclean, daughter of the late Sir Allan Maclean, of Maclean, bart.

19. At the rectory, Castle Rising, Fanny, second daughter of the bishop of Oxford and the lady Harriet Bagot.

20. At Cambridge, aged 25, Mr. John Holman, an undergraduate of Catharine-hall, having poisoned himself by laudanum. Mr. Holman had read very hard for the two last examinations, and was unsuccessful, having been rejected on both occasions. He was very religious, and of melancholy solitary habits.

— At Toronto, captain Frederick Halkett, Coldstream guards, military secretary to sir George Arthur, and eldest son of general sir Hugh Halkett.

22. At Ham house, Surrey, aged 95, the right hon. Louisa Tollemache, countess of Dysart, county Fife, and lady of Huntingtour, county Perth, (1643). Her ladyship was the eldest daughter of Lionel Talmash, fourth earl of Dysart, by lady Grace Carteret, second daughter of John earl Granville. She was married in 1765, to John Manners, esq. of the Grange, near Grantham, M.P. for Newark, (a natural son of lord William Manners, M.P. for Leicestershire), who died in 1792, having had issue by her ladyship ten children, four sons and six daughters, of whom the only survivor is the hon. Charles Manners Tollemache. On the death of her brother Wilbraham fifth earl of Dysart, in 1821, lady Louisa Manners succeeded to the family honours and estates.

— At Holland house, Kensington, in his 67th year, the right hon. Henry Richard Vassall, third baron Holland of

Holland, county Lincoln, &c. &c., M.A. F.R.S., and F.S.A. Lord Holland was the only son of Stephen, second lord Holland (the elder brother of the right hon. Charles James Fox) by lady Mary Fitzpatrick, eldest daughter of John first Earl of Upper Ossory. He succeeded to the peerage when only a year old was educated at Eton, and thence transferred to Oxford in 1790. On quitting the university he visited Copenhagen, France, Switzerland and Spain, in which latter country he passed some time, making the language, the habits of its various people, its literature and government, the pursuits of his study, and the objects of his investigation. From Spain he passed into Italy, living for some time at Florence; and in 1796 returned to England. Whilst in Italy he formed an intimacy with the wife of Sir Godfrey Webster, baronet; in consequence of which the latter brought an action against him, and obtained damages to the amount of 6000*l*. Lady Webster being subsequently divorced, lord Holland married her in 1797, and on that occasion took the surname of Vassall, which was not however, assumed by his children. In 1798, he entered upon his parliamentary career, throughout the whole of which he uniformly maintained the line of politics pursued by his illustrious uncle. At the peace of Amiens lord Holland proceeded to Paris, and thence a second time to Spain. He resided in the Spanish capital till after the declaration of war, and after seeing some parts of Portugal, returned to England in 1805. Next year the Whigs came into office, and lord Holland was sworn in a privy councillor, and appointed, in conjunction with lord Auckland, to negociate with the American plenipotentiaries, for an amicable adjustment of certain differences between the two governments. After long endeavours a treaty was signed, in which nearly all the disputed points were settled; unfortunately, however, Mr. Jefferson, then president of the United States, refused his ratification; and this treaty, which by its stipulations as to neutrals, would have prevented the subsequent war with America, became a nullity. The death of Mr. Fox led to new arrangements, and lord Holland was introduced into the cabinet as lord privy seal; but, early in 1807, the ministers were dismissed from his majesty's councils. The efforts of the Spaniards to free themselves from the impending yoke of Napoleon, awakened all lord Holland's old affections for that people; Florida-Blanca, Valdez, and other eminent persons in that country had made him the channel of their important communications to Mr. Canning, and so intensely was his interest excited, that he embarked on board the Amazon frigate, and landed at Corunna almost simultaneously with the division of the British army under sir David Baird. As the tide of war permitted he travelled through various parts of the Peninsula, and after visiting Cadiz, he went to Lisbon, and thence returned to England, about the latter end of the year 1809. Lord Holland lent his aid to Mr. Canning, though he did not become a member of his cabinet. In 1830 the Whig party was at length recalled to power, and lord Holland, after three and twenty years' secession, became a cabinet minister, and chancellor of the duchy of Lancaster, which office he continued to fill up to the time of his death, with the exception of the well known intervals during which his party were temporarily dismissed from office. In 1806 lord Holland published an account of the Life and Writings of Lope Felix de Vega Carpio, 8vo. In 1817, the Life and Writings of the same, and of Guillem de Castro, 2 vols., and Three Comedies from the Spanish in 1807, 8vo. In connection with his authorship, it may also be mentioned that lord Holland was in no ordinary degree conspicuous as a recording commentator on the proceedings of the House of Lords in the shape of "protests," some of the most elaborate now on their lordships journals (especially on the subject of Napoleon Bonaparte's detention at St. Helena) being the productions of his pen. Lord Holland has left issue, two sons and one daughter, of whom the eldest son, colonel Fox, was born before his marriage with lady Holland.

24. At Brabazon-park, county Mayo, sir William John Brabazon, bart. (1797) M.P. for that county.

— At Cullen House, county Banff, after an illness of some weeks, in his 74th year, the right hon. Lewis-Alexander Grant Ogilvy, earl of Seafield, viscount of Reidhaven, and lord Ogilvy, of Deskford and Cullen, in the peerage of Scotland, and a baronet *of* Nova Scotia.

— Aged 83, the hon. and rev. Daniel Finch, B.D., Fellow of All Souls' college, Oxford, rector of Harpsden, Oxfordshire, and for fifty years rector of Cwm, Flintshire, and a prebendary of Gloucester. He was the fifth son of Heneage third earl of Aylesford, by lady Charlotte Seymour, youngest dau. of Charles 6th Duke of Somerset.

26. At Carlisle, John Duff Dingwall, esq. of Brucklay, Aberdeenshire, and formerly of Christ Church, Oxford. He destroyed himself at the Bush Inn, Carlisle, in a fit of insanity, having previously expressed to his servant much fear of being attacked. He was a man of large fortune, and married a daughter of Sir Henry Bridges, of Beddington, Surrey, who had died a few months previously.

— At his house in Chester Terrace, Regent's Park, after a few days' illness, Nicholas Aylward Vigors, Esq., of Old Leighlin, county Carlow, M.P. for that county. Mr. Vigors was a member of Trinity College, Oxford, and was created an honorary D.C.L. at the commemoration in 1832. He published in 1811 (in 8vo.) "An Enquiry into the Nature and Extent of Poetic Licence;" a second edition of which appeared in 1813. But the science to which Mr. Vigors devoted the principal part of his time and attention, previously to his entrance into Parliament, was Zoology; more particularly that department of the science, which relates to birds. The Linnean Transactions, the Zoological Journal, and the earlier proceedings of the Zoological Society, with which Mr. Vigors was long and most usefully connected, are enriched with numerous papers by him. Mr. Vigors's parliamentary career commenced with his return for the town of Carlow, at the general election in Dec. 1832. At the dissolution, which took place in Jan. 1835, Mr. Vigors again stood for Carlow, but was beaten by his former opponent (Mr. F. Bruen) by a majority of sixteen. At the same election, colonel Bruen, and Mr. T. Kavanagh were returned for the county of Carlow, but were afterwards unseated upon petition, the election being declared void. A new election thereupon took place, and Mr. Vigors and Mr. Alexander Raphael were returned by a small majority over their opponents, the two unseated members. A new petition was, however, presented against the return by the defeated candidates, and after a long and expensive scrutiny before a committee of the House of Commons, Messrs. Vigors and Raphael were unseated, and Colonel Bruen and Mr. Kavanagh seated in their stead. No further contest took place until Feb. 1837, when a vacancy occurred in the representation of the county by the death of Mr. Kavanagh. Mr. Vigors again offered himself to the constituency, and was returned by a majority of thirty six over his opponent, Mr. Thomas Bunbury. At the general election in July, 1837, Mr. Vigors was again returned in conjunction with Mr. John Ashton Yates, by a majority of 87 over Messrs. Bruen and Bunbury. The unsuccessful candidates petitioned the House of Commons against the return, but the committee refused to open the registry, and the petitioners were, therefore compelled to withdraw from the further prosecution of their petition. Mr. Vigors's politics were of the extreme Liberal character, and he almost invariably voted with the Radical party.

—. At Dogpole house, near Shrewsbury, in his 77th year, William Hazledine, esq. Mr. Hazledine was born at Shawbury, in Shropshire, and during sixteen or seventeen of his early years he worked around the vicinity of Shrewsbury, as an operative millwright. He afterwards commenced business for himself as a founder, and by his skill and industry, shortly attained to the first eminence in his peculiar line of practice. Mr. Telford, the well known engineer being engaged in constructing the Ellesmere and Chester Canal, Mr. Hazledine became the contractor for the Chirk and Pont-y-cyssylte Aqueducts—the latter being one of the most magnificent works of the kind in Europe, which he completed so entirely to the satisfaction of Mr. Telford and the proprietors, that he was immediately engaged in all the national works then undertaken by government. The erection of the locks on the Caledonian canal was entrusted to him, and executed to the entire satisfaction of the engineer and the country. His fame was now established, and he was employed in a series of great works, of which the Menai bridge may be mentioned as the chief.

27. At Duddingston, near Edinburgh, aged 62, the rev. John Thomson, minister of that parish; a gentleman who had highly distinguished himself as a landscape painter.

29. At Southampton, colonel George Evatt, commandant of the Royal Military Asylum in that town.

31. At the university of Charlottesville, Virginia, United States, aged 43, professor Charles Bonnycastle, many years professor of that institution.

Lately. In Pall Mall, aged 65, Hugh Hammersley, esq., banker. In consequence of his having no partner, the bank was obliged to stop at once.

NOVEMBER.

1. At Pimlico, aged 86, Edward Harding esq., formerly print and bookseller in Fleet-street, and subsequently librarian to her late majesty queen Charlotte at Frogmore.

— At Assam, the celebrated linguist Dr. Lum Qua. He assisted Dr. Marsham in his translation of the New Testament into Chinese.

— In Montego Bay, Jamaica, aged 117, Mrs. Princess M'Uwin. The deceased arrived at Kingston during the administration of the government by sir Edward Trelawney in 1739.

2. At his house in Langham-place, after an illness of some weeks, sir Anthony Carlisle, senior surgeon to the Westminster hospital, one of the council and court of examiners of the royal College of Surgeons, of which he twice held the office of president, a fellow of the royal and other societies, &c. This very eminent surgeon was born at Stillington, in the county of Durham, in 1768. His professional education commenced under an uncle at York. On proceeding to London, he immediately entered himself at the Hunterian school of Anatomy in Windmill-street, where his acuteness and zeal attracted the notice of the celebrated John Hunter. He then became a resident pupil of Mr. Henry Watson, F.R.S, a surgeon of the Westminster hospital, to whose office on his death in 1793, Mr. Carlisle succeeded. In that ancient institution he speedily distinguished himself, and there originated the important practice of open consultations on the propriety of operating in cases admitting the slightest doubt, and which has since been generally adopted. Mr. Carlisle was one of the earliest and most indefatigable labourers in the field of comparative anatomy, abundant evidence of which is to be found in the Transactions of the Royal Society, of which learned body he was elected a member in 1800. His intimate acquaintance with sir Joseph Banks, led to, or perhaps originated in, his inquiries into many branches of natural history. The result of these appear in the volumes of the Linnean and Horticultural Societies, and in several English scientific publications, including journals, magazines, &c., from the end of the last century to a very recent period. When young, Mr. Carlisle was admitted a student at the Royal Academy, on the recommendation of sir Joshua Reynolds, and in 1808, he succeeded Mr. Sheldon, as professor of anatomy in that institution. In the course of an extensive practice, Mr. Carlisle much improved the instruments used in surgical operations; to him the public are indebted for the introduction of the present excellent amputating instruments. At the accession of George IV. Mr. Carlisle, who had been Surgeon-Extraordinary to the Prince-regent, received the honour of knighthood. In a resolution passed after his death at a meeting of the governors of the Westminster Hospital, it was mentioned that that institution had during a space of forty seven years been indebted to him for his excellent professional services, and singularly so for greatly increasing, through his influence, the support of the charity, and that it was owing to his personal energies that the first subscription towards the erection of the present new hospital amounting to nearly 8,000*l.* had been raised.

— In Dorset-square, aged 65, Samuel White Sweet, esq. solicitor.

3. At Stagbury-park, aged 85, T. Walpole, esq. nephew to the first earl of Orford. He was called to the bar in 1779, and was subsequently envoy at the court of Munich. He married in 1803, lady Margaret Perceval, 8th daughter of John, second earl of Egmont, by whom he has left issue five sons and two daughters.

7. At Dublin, aged 52, major Richard Stack who commanded the company of the 45th regiment, which defeated the Chartists at Newport, in Wales. He was a native of Kerry, and served with great distinction in the Peninsula and in India, and was wounded at Bhurtpore.

9. In Norfolk-street, Park-lane, major-general William Hull, C.B. of the hon. East India Company's Bombay service.

11. At Liverpool, William Wallace

DEATHS.—Nov.

Currie, esq., the first mayor of Liverpool under the municipal corporations act. His father is well known as the first biographer of Burns, and the son was a gentleman of great taste, learning and refinement.

13. Aged 16, Mr. Charles B. Adam, midshipman of her majesty's ship Fairy, son of vice-admiral sir Charles Adam. The ship is supposed to have been lost on the 13th of October in the North Sea, when all on board perished, thirty-five in number. The captain's name was Hewit, and the master Mr. Stevens his brother-in-law.

— At Richmond, aged 62, sir William Dundas, bart. He was the eldest surviving son of sir David Dundas, created a baronet in 1815.

17. At his residence in the close of the cathedral, Lincoln, in his 72nd year, John Gardiner, esq., one of her Majesty's deputy lieutenants for the county of Lincoln, and formerly distinguished as a naval surgeon.

21. At the house of his son, the grammar school, Andover, in his 64th year, Francis Reynard, esq., formerly master of a mathematical school, near Reading, and author of several useful elementary works, chiefly in mathematics.

23. At Netherby, Georgiana, daughter of the late col. and lady Elizabeth Callander, of Craigforth, Stirlingshire.

— At Hatchett's hotel, Piccadilly, lieut.-colonel John Craigie, of the Bengal army. He died from taking poison during a fit of temporary insanity.

24. At Pau, in his 27th year, the hon. William Lushington Thomas Harris, second son of Lord Harris.

27. At Southampton, aged 76, Charles Tinling, esq., read-admiral of the red.

28. At Forbes, D. G. Forbes, esq. of Culloden. Mr. Forbes was the great grandson of the celebrated Duncan Forbes, lord president of the court of session at the stormy period of 1745.

30. In London, M. de la Bourdonnais, said to be the first chess player in the world.

— At Peterhead, aged 95, commander David Horrie. He entered the navy as a common sailor, and was promoted to the quarter deck for his gallant and loyal conduct when on board the Inflexible at the mutiny of the Nore.

Lately. At the house of Dr. Kernan, Roman Catholic Bishop of Clogher, Miss Kernan his sister.

— At Brooklyn, the venerable Zachariah Lewis, vice-president of the American Bible Society, and well known to the religious world of England.

— Killed at the bombardment of St. Jean d'Acre, lieutenant Le Mesurier, of her Majesty's ship, Talbot, son of the late rev. Mr. Le Mesurier, rector of Horton, near Darlington.

— At Paris, aged 70, Monsieur Jacotot, the inventor of the celebrated system of instruction which bears his name.

— At Exmouth, count de Vismes, prince de Ponthieu.

DECEMBER.

1. At Talaton, where he had been residing for the benefit of his health, aged 40, lord Bruce, eldest son of the earl of Elgin.

3. At Coughton Court, Warwickshire, in his 84th year, sir Charles Throckmorton, the seventh baronet of Coughton, county of Warwick (1642).

4. In Cumberland-place, Regent's Park, aged 23, Emma-Jane, wife of the hon. sir Edward Butler, son of lord Dunboyne.

7. At Bold, aged 42, Dorothea, wife of sir Henry Bold Hoghton, bart.

— At Bath, aged 75, sir William Dick, eighth baronet of Braid, Scotland.

8. At Petersham, the hon. Eliza Mackenzie Elphinstone, daughter of John, eleventh lord Elphinstone.

11. Aged 41, Dr. Michael Ryan, editor of the Medical and Surgical Journal.

12. At Charles-street, St. James's, in his 35th year, Capt. the hon. James Stuart, late of the 85th light infantry, third son of the right hon. the earl of Moray, K. T.

— At Cheltenham, aged 70, sir Bagenel Willm. Burdett, third baronet of Dunmore, county of Carlow (1723)

14. Henrietta Wharton, lady of sir James Wemyss Mackenzie, bart., lord-lieutenant of the county of Ross.

16. Aged 81, the Abbé Voyaux de Favers, for many years the principal of the Roman Catholic chapel at Chelsea.

17. In Norfolk-street, Strand, Henry Brandreth, esq. M.A. and F.S.A., of Houghton Regis, near Dunstable, Bedfordshire, author of several minor poems.

19. At Edinburgh, Miss Elizabeth Sutherland Stuart, daughter of the late hon. David Stuart, R.N., son of James, eighth earl of Moray.

20. At Mormand-house, county of

Aberdeen, James Strachan, esq. M.D., inspector general of army hospitals. This highly respected officer served his country in every quarter of the world for a period of forty-four years with distinction.

— At Ventnor, Isle of Wight, aged 39, John Forbes, esq., eldest son of sir Charles Forbes, bart.

21. In Wilton Crescent, aged 76, John Wishaw, esq., M.A., F.R.S., senior bencher of the honourable society of Gray's Inn, a gentleman long known and eminently respected in the legal literary and political circles of the metropolis.

23. At Wardy Hill, Coveney, aged 102 years, Mr. D. Cox, farmer.

24. In Portland-place, in his 77th year, George Hay Dawkins Pennant, esq., of Penrhyn Castle, near Bangor.

28. At Lincoln's-inn, aged 83, Thomas Lane, esq., having held the situation of steward to that hon. society forty-eight years. He published "The Student's Guide;" being an Account of Lincoln's Inn. 12mo. 1803.

30. At Clarendon Park, Wilts, aged 30, Lady Harvey Bathurst.

— At James-street, Adelphi, Thomas Hill, esq., a gentleman much respected for his kind-hearted attentions to authors, artists, and men of taste in general, and a great collector of old English poetry.

31. At Rendlesham Hall, aged 34, the right hon. Eliza-Charlotte Lady Rendlesham.

Lately. At Great Yarmouth, at an advanced age, Mr. James Sancroft, surgeon, who was lineally descended from archbishop Sancroft, and in his features resembled the portrait and medal of that prelate.

— In London, the baronne de Feuchères. Madame de Feuchères was an Englishwoman of the name of Daws, who was married in this country to a French gentleman. On his separation from her she obtained great influence over the late duc de Bourbon (the father of the unfortunate duc d'Enghien), whose corpse was one morning found hanging to the window of his bedroom in 1830, and whose demise put an end to the illustrious house of Bourbon Condé. Through her extraordinary ascendancy over that aged prince, the immense property of the house of Condé was divided by his will between her and Louis Philippe's fourth son, the duc d'Aumale, the latter having by far the larger portion. The will was disputed by the princes of Rohan, the duc de Bourbon's kinsmen, but its validity was maintained by the French courts. Madame de Feuchères died in London a few weeks ago, about the age of 50, of a dropsical complaint, having left France some months before, after selling most of her landed property in that country, including the fine chateau of St. Leu, which once belonged to Louis Bonaparte. According to an extract of her will, published in the *Gazette des Tribunaux*, she has left the bulk of her property, which is estimated at 800,000*l.* to her niece, now nine or ten years old, the daughter of one of her sisters, who is married to a French gentleman of the name of Thanaron. Among her other bequests is one of 2000*l.* to a servant of the late duc de Bourbon, "the only witness who gave his evidence honestly" in the lawsuit she had to sustain after the duke's death.

— In Burlington Gardens, aged 46, Frances Susan, the wife of Colonel, the hon. Henry Cavendish, and only sister of the late earl of Durham. She was married first in 1811 to col. the hon. Frederick Howard, son of the earl of Carlisle, who died in 1815 of wounds received at Waterloo, and in 1819 became the second wife of col. Cavendish.

— At Rome, aged 23, the princess Borghese, daughter of the earl of Shrewsbury (before her marriage the lady Gwendaline Catharine Talbot). She was married to the prince of Sulmona, eldest son of the Italian prince Borghese, in 1835, and in July, 1840, presented him with a son and heir of the principality and estates, born at Alton Towers, county of Stafford.

— Dugald Moore, the well-known Scottish poet.

— At Chirton House, aged 91, John Collingwood, esq., brother of the late Lord Collingwood.

— In Brook-street, Grosvenor-square, in his 65th year, Sir Horace David Cholwell St. Paul, of Ewart Park, county of Northumberland, bart., a count of the Holy Roman Empire, and a colonel in the army.

TRIALS, LAW CASES, &c.

WOOD AND OTHERS, AGAINST GOODLAKE, HELPS AND OTHERS—The following is the judgment given by sir Herbert Jenner, in this celebrated case, the fact of which, it so clearly and fully states as to dispense with any further detail of them. The question to be determined, observed the learned judge, arose with respect to certain testamentary papers which had been propounded as the will of the deceased, Mr. James Wood, of Glocester, who died on the 20th of April, 1836, aged about eighty. The papers were three in number, two of them bore date on the 2nd and 3rd of December, 1834, and were propounded as together, containing the will of the deceased, both being drawn up by Mr. Chadborn, the confidential solicitor of the deceased, and who was appointed in one of the papers an executor and universal legatee. That paper purported to appoint four gentlemen executors, and to "desire" that they would retain to themselves all the personal property subject to debts and such legacies as he should afterwards direct. That paper was signed by the deceased, but was not attested by any witness. The second paper, dated the day following, was executed by the deceased in the presence of three witnesses, and purported to dispose of all the estate, real and personal, and to give it to his executors and their heirs in equal proportions, subject to his debts and to any legacies or bequests he might thereafter make. This was, therefore, a complete disposition of the whole estate to "his executors," those executors not being named in the paper. The third paper was dated in July, 1835, (there being no day of the month affixed,) and was alleged to be in the handwriting of the deceased, and to be signed by him; and it purported to give a legacy to the corporation of Glocester to the amount of 60,000*l.* reciting that he had, by a former codicil, given to the same corporation a legacy of 140,000*l.* There were traces in the evidence of other testamentary papers, which had been executed by the deceased, independent of the codicil referred to in the paper of July, 1835 (and which was not forthcoming)—namely, a will executed in 1823 or 1824; another testamentary paper had been seen in 1833; and it was in evidence that the deceased had complained that he had lost certain testamentary papers, which had been carried away without his knowledge. The history of the deceased it was necessary to advert to. He had been a draper and banker for many years at Glocester, as well as his father and grandfather before him; he was a man of some peculiarity and eccentricity of character, extremely parsimonious, and by that parsimony, and attention to business with certain adventitious circumstances (such as the bequest of property from other persons), he

had amassed at his death a property real and personal, of the value of nearly a million of money. He was unmarried, he had two sisters who both predeceased him; one of them died unmarried in 1824; the other Mrs. Willey, died in 1833, a widow, without child. The nearest relations of the deceased, at his death, (as far as the court had any knowledge,) were two second cousins both of whom were parties in this suit. One was Mrs. Elizabeth Goodlake, the other Mr. Edward Hitchings. The interest of Mrs. Goodlake had been admitted by the parties who propounded the papers of the 2nd and 3rd of December, 1834. The interest of Mr. Hitchings had not been admitted by the other parties: but he had been admitted as a contradictor to the will; he was, therefore, just as much entitled to the protection of the court as if he had established his interest. He was the more entitled to the court's protection, because he had offered an allegation pleading his relationship to the deceased, which the court, thinking he had been too late, had rejected. Mr. Hitchings had appealed to the judicial committee, who had been of opinion that this court had not done right in rejecting the allegation, and had directed it to be suspended, till the hearing of the cause. These two persons, then, Mrs. Goodlake, and Mr. Hitchings, appeared in the characters of next of kin, the interest of one being admitted, and that of the other not being admitted, but he being admitted a contradictor; and if the court should be of opinion that the will is not proved, they would be entitled, in the event of establishing their relationship, to the whole personal property, amounting to 700,000*l.* or 800,000*l.* It did not appear who the deceased's heir-at-law was; the deceased had stated that his heir-at-law was in America. The paper of December 2nd, 1834, was headed "Instructions for the will of me, James Wood, esq., of Glocester," and it is as follows:—"I request my friends, Alderman Wood, of London, M.P., John Chadborn, of Glocester, Jacob Osborn, of Glocester, and John S. Surman, of Glocester, to be my executors; and I appoint them executors accordingly; and I desire that they will take possession of, and retain to themselves, all my ready monies, securities and personal estate, subject to the payment of my just debts, and such legacies as I may hereafter direct." As far, therefore, as this paper of instructions went, it gave the whole residue of the personal estate to the executors; but the paper also referred to the real estate in the following terms:—"And with respect to my real estate, I shall dispose of the same to such persons, and in such parts, as I shall by any writing endorsed herein direct. Witness my hand, this 2nd December, 1834, James Wood. It was endorsed, "2nd December, 1834. Mr. Wood's instructions for his will. The second paper, dated the 3rd of December, was originally on a separate sheet, for it did not at the time form any part of the paper of transactions. It was not therefore a paper "endorsed" on the sheet of instructions, as would seem to have been intended by that first paper; it was a separate sheet, and was to this effect:—I, James Wood, esq., do declare this to be my will for disposing my [*sic*] estates, as di-

rected by my instructions. I declare my wish that my executors shall have all my property which I may not dispose of, and that all my estates, real and personal, shall go amongst them and their heirs in equal proportions, subject to any debts and to any legacies or bequests of any part thereof, if any, which I may hereafter make. In witness whereof I have to this my last will set my hand this 3rd December, 1834.— James Wood. Signed and published by the said testator, as and for his will, in our presence, Ann Lewis, Edward Swann, William Veaile." Now this paper purports to be the "will" of the deceased; for it disposes of his whole estate, real and personal, "as directed by his instructions," and it is described as his "last will." It gives his property amongst his executors, but not in the same manner as the former paper purported to give it. In the latter paper the names of the executors were not mentioned; and under this paper, standing by itself, no person whatever would be entitled to take the property; and, therefore, the object of the gentlemen named as executors in the former papers was to obtain probate of both those papers together, as together containing the will of the deceased. The third paper, dated in July, 1835, purported very materially to diminish the interest given to the executors by the two former papers, for it gave 210,000*l.* in legacies to different individuals and to the corporation of Glocester. This paper had been propounded by several of the legatees named therein, by the Syndic of the city of Glocester; by Mr. Phillpotts, who had a legacy under it of 50,000*l.*; by Mr. Counsell, legatee to the amount of 10,000*l.*; by Mr. Helps, of Cheapside, London, who had a legacy of 30,000*l.*; by Mr. Thomas Wood, a legatee to the amount of 20,000*l.*; and by Mr. Samuel Wood, who had a legacy of 14,000*l.*, and 6,000*l.* to his family. There was also a legacy of 20,000*l.* to Mrs. Goodlake, who did not propound the paper, but, on the contrary, opposed it. The paper concluded—"And I confirm all other bequests, to give the rest of my property to the executors, for their own interest." This paper was mutilated to a certain extent; it was burnt at one corner, and torn in two places, not quite through. The paper was opposed by the executors, and also by Mrs. Goodlake, and ultimately by Mr. Hitchings.

It was now necessary to take up again the history of the deceased. He was taken ill on the 17th of April, and to such an extent, as made it appear necessary, that one of the gentlemen of the house (Mr. Osborn) should despatch a letter to Mr. Alderman Wood in London, who left town next day by the mail and arrived in Glocester on the morning of the 19th. The deceased had in some degree recovered from the attack; but it appeared from the evidence of Mr. Cother, his medical attendant, that he was obliged to be carried or dragged up to his bed, from which he never afterwards rose. Next day Mr. Cother found him labouring under a drowsiness, which, though at first supposed to be the effect of the medicine, proved to be that of a pressure on the brain, and he continued in that state of drowsiness or stupor, incapable of attending to business, till the night, when he died. At this time all the executors were assembled at

the house, as well as Mr. Phillpotts, who was an intimate friend of the deceased; and he, in company with Mr. Osborn, proceeded up stairs to the landing-place, or lobby, adjoining the room where the deceased slept, and from a bureau, the key of which was in the possession of Mr. Osborn, he took out a sealed packet, which he carried down stairs, where the executors were assembled; the seal was broken, and the two papers of the 2nd and 3rd of December, 1834, were taken out of the packet. The learned judge would not at present stop to enquire how or when the papers were deposited in the bureau. On the same day instructions were given to the proctor of the executors to send a commission to Glocester to swear them, preparatory to taking probate of the two papers. The commission was forwarded on the 23rd, but it was not executed till the 25th, when the affidavit of Mr. Phillpotts as to the plight and condition of the papers bore date. When the papers were transmitted to the proctor, and probate was about to be applied for, a *caveat* was entered, by some party which, was afterwards withdrawn. On the 6th of May the proctor for the executors appeared before a surrogate and prayed probate of the two papers. On the 13th of May a caveat was entered by Mr. Thomas Wood and Mr. Thos. Helps. An appearance was also given for Mrs. Goodlake, alleging herself to be the only next of kin, and her interest was immediately admitted by the executors, and he (the learned judge) presumed the admission was in consequence of some special instruction, for the proxy did not authorize the proctor to admit the interest of Mrs. Goodlake, who was a mere nominal opponent of the executors, and in fact, doing all she could to further their object. It was clear that up to the hearing of the cause her wish was that the executors should succeed in establishing the papers. At this time, the papers were first brought before the court, annexed to the commission and the affidavit of Mr. Phillpotts; and all went to show that they had been found in the repositories of the deceased, sealed up in an envelope, on which was written "The will of James Wood, esq., 2nd and 3rd of December, 1834," sealed with an impression bearing the deceased's initials. Now, the affidavit of Mr. Phillpotts was a very important affidavit. It was dated the 25th of April, and it expressly stated that the deponent, "as a confidential Friend of the said deceased, in searching amongst the deceased's papers of moment and concern, found in a private drawer of a bureau, which was locked up in a closet adjoining the bedroom, in which the said deceased died, the envelope marked C, hereunto annexed, endorsed "The will of James Wood, esq., 2nd and 3rd December, 1834;" which envelope being sealed up, was then opened by this deponent; and upon opening the same, he this deponent, found the paper writings now hereunto annexed, and respectively beginning and ending as aforesaid, enclosed therein. And this deponent having now perused and inspected the said several papers, marked A, B, and C, respectively, saith, that the said paper writings are now in every respect in the same plight and condition as when found by him as predeposed; save only that the seal of the said envelope was broken open by this deponent at the time of finding the same." Now nothing

could be more satisfactory than this affidavit to show that these papers were intended by the deceased to be his will together, notwithstanding that one of them purported to be merely instructions, and the other to be a regularly executed will. When brought before the court they were attached together at top and bottom by a wafer, and enclosed in what had been a sealed envelope, superscribed, "The will of James Wood, esq.;" and under these circumstances, probate in common form was applied for, and was stopped by the *caveat*, and the executors were ultimately put on proof of the will in solemn form. When Mr. Pulley declared he proceeded no further, the only parties were the executors and Mrs. Goodlake, and it would not have been a very prudent course for other parties to have opposed the will, after the affidavit of Mr. Phillpotts; and when the executors propounded the papers, it appeared that Mrs. Goodlake did not administer a single interrogatory to their witnesses. It was apparent that she was acting in concurrence with the executors, from the fact of their proxies evidently coming from the same office, the form of them being quite unusual in this court. With this nominal opposer the executors propounded the instruments in an allegation in the form of a *condidit*, pleading that the deceased set and subscribed his name to the two papers, "and published and delivered the same as together containing his last will in the presence of three witnesses." This was the statement which the executors undertook to prove; and it was impossible, if these facts were established, and no interrogatories had been addressed to the witnesses, that the papers could have been refused probate. But it so happened that before the cause arrived at its termination, and the requisition for the examination of witnesses had been completed, a paper was produced which not only stopped the cause between the executors and Mrs. Goodlake, but gave a different character to the whole case. On the 8th of June, Mr. Helps received, by the three-penny post, a packet, containing the paper of July, 1835, which he immediately communicated to the executors. It was accompanied by a pencil writing to this effect: —The enclosed is a paper saved out of many burnt by parties I could hang. They pretend it is not J. Wood's hand; many will swear to it. They want to swindle me. Let the rest know." The production of this paper gave a different character to the whole proceeding. Certain of the legatees propounded this paper, and a decree was taken out calling on all the next of kin to stay proceedings; but no appearance was given for any but Mrs. Goodlake, who was already before the court. The executors repropounded the papers as together containing the will, and reasserted their allegation. The signature was proved, but Mr. Philpotts, who had made an affidavit in the first instance, was not now produced as a witness, as he was a party named in the codicil; but his answers were called for. The legatees brought in an allegation pleading circumstances to rebut the presumption of law against the codicil, and also showing misconduct and malpractices on the part of the executors, and alleging amongst other things, that they had been guilty of a spoliation of papers, that the case set

up by the executors was not true, and that the two papers were not annexed together at the time of their execution by the deceased, or sealed up by him, or by his direction, or with his knowledge, in the envelope. The allegations were of a most serious kind, and, if true, were calculated to awaken the jealousy and suspicion of the court, for they went to a direct falsification of the case set up by the executors. The imputations appeared to the court so highly improbable and incredible, that it was with the greatest astonishment he (the learned judge) learned from the answers of the executors that a great part—a material part—of these allegations was founded in fact; for it appeared that the papers were not originally annexed together when executed by the deceased, and they were not annexed till the morning of the 20th of April, 1836, when the deceased though not actually dead, was admitted to have been utterly incapable of attending to business. It was also admitted that the papers of the 2nd of December, described as "instructions," had been in the custody of Mr. Chadborn, the drawer of the paper, and that it had been taken from his house immediately on his arrival at Gloucester from London, enclosed in the envelope with the other papers, which had been in the possession of the deceased, and endorsed by Mr. Chadborn as "the will of James Wood, esq., 2nd and 3rd of December, 1834;" whereas it had been sworn that these papers had come from the repositories of the deceased in the plight and condition in which they were annexed together, Mr. Chadborn admitting in his answer that he, in the presence of Mr. Phillpotts, wafered the papers together on the morning of the 20th of April, enclosed them in the envelope and endorsed the same, sealing it with a seal bearing the testator's initials; and that the papers were then deposited in the bureau. All this, he states, was done under the advice and at the suggestion of Mr. Phillpotts, who till the discovery of the codicil, acted as the legal adviser of the executors. The admission of these startling facts implicated not only the executors themselves, but Mr. Philpotts in an attempt to deceive the court, in order to obtain probate of these papers on a false representation of facts; for though the affidavit of Mr. Philpotts did not expressly swear that the papers were in the same plight and condition as when executed by the deceased it was clear that such was the impression meant to be made on the mind of the court. But for the mere accident of the production of the codicil, this attempt must have been crowned with success, for nothing but the appearance of that paper could have prevented it. If the witnesses on the *condidit* and Mr. Phillpotts had been examined, no suspicion could have been raised in the mind of the court as to the *bona fides* of the transaction; and, under these circumstances, the court felt very strongly the manner in which it had been treated by an attempt to set up a totally false case, and to surprise it into the granting of probate of these papers as together containing the deceased's will. But the case was much stronger against the instructions, which were followed by a will executed on the next day; for nothing was more clear than that, according to all the decisions and principles of this court, a paper of

instructions was superseded by the execution of a will; that it was not the practice of the court to pronounce for instructions as part of a will, though under certain circumstances the court would permit omissions to be supplied from isntructions; but it always required in such cases, in order to supply a deficiency in the will, not merely parole, but the evidence of the documents themselves; but he was not aware of any case in which instructions, dated a day before a regularly executed will, had been pronounced for as together containing the will of the deceased. If it had been alleged that by error or mistake the names of the executors had been omitted in the second paper, if the court had had full and satisfactory evidence of the fact, it might have permitted the omission to be supplied; but it must have the most satisfactory evidence that such was the real intention of the deceased; and who could give that information? No one but Mr. Chadborn, who had been the drawer of the paper, giving himself a benefit of 200,000*l.* or 300,000*l.* But this was not the case set up, which was, that it was no omission, but the intention of the deceased to incorporate these two papers together. It was therefore quite impossible for the court to pronounce for the validity of the paper entitled "instructions." He did not feel himself in a condition to declare that the charge against Mr. Phillpotts had been proved, of having made this affidavit with a full knowledge of all that had actually taken place in regard to these papers. How were Mr. Osborn and Mr. Surman implicated? Mr. Osborn knew that the papers were not annexed at the time of execution, and that they were not enclosed by the deceased in the envelope; and Mr. Surman was also aware of these facts. With regard to the fourth executor, he did not appear to be cognizant of all that took place. He stated, that he was present at the time when the other executor states that he annexed the papers, but that he was otherwise engaged and did not observe it. It might very probably be that this gentleman was ignorant of what took place; but though morally acquitted of the guilt of this fraud, he must be legally responsible for the acts of the other executors, and all were bound by the consequences of their conduct. Then what effect ought this conduct to produce on the mind of the court? It ought to place the court on its guard at least in receiving explanations from parties who had conducted themselves in such a manner. Mr. Chadborn and the other executors had sworn that he had no improper motive in annexing these papers; but the court cannot but think it was done to facilitate the obtaining probates of these papers; and to get possession of the property on a false representation of facts which it had no means of detecting, and so far from its being a case in which the court ought to presume anything in favour of the executors, it ought, on the contrary, to presume everything against them. Notwithstanding the conduct of the executors, however, it would be still competent to them to prove, as they had pleaded, that the deceased at the time of execution published these papers as together containing his will. The second paper was supposed to refer to the first, but it did not necessarily follow that the instructions mentioned therein were the instructions

of the preceding day, more especially as the disposition was in some respects different. But, supposing the former paper to be referred to in the second paper, the execution of this paper was a supersession of the former. The learned judge then went through the evidence of the subscribed witnesses to the paper on the 3rd of December. As no interrogatories had been addressed to these witnesses by Mrs. Goodlake, he observed, although their evidence in chief was somewhat equivocal as to the existence of another paper, yet, coupled with the affidavit of Mr. Phillpotts, it would have induced the court to admit the papers to probate. But when the legatees under the codicil were before the court, they administered interrogatories to the witnesses (though not without some opposition on the part of the executors, whether from an apprehension that the witnesses would not stand the test of cross-examination, or that some glimmering of light would be thrown on the conduct of the executors), and when interrogated, all the witnesses distinctly deposed that they saw no other paper than that of the 3rd of December, and that the deceased did not publish both papers as his will. If any witnesses could negative a case, these witnesses, on their cross-examination, had negatived the important allegation of the executors —that these two papers were published and declared by the deceased as together containing his will. It had been argued that the two papers must have been before the deceased, for that the latter by itself conveyed no interest to any person ; but that was no presumption that that paper was there. Mr. Chadborn, when the paper of the 3rd was executed, was summoned from a dinner party in a hurry, and was not likely to have brought the other paper in his pocket. But on the face of the paper itself there was no corroboration of this suggestion, for the words were all in the singular number—" I declare this to be my will," not this paper and the paper of instructions, " in witness whereof, I have to this my last will set my hand." So that, from the terms of the paper itself, there is a presumption that he did not intend the other paper to be embodied. Upon the failure of direct evidence, another species of proof was had recourse to—that the disposition was extremely probable. Three of these gentlemen were in no degree related to the deceased ; the other was the son of Mrs. Goodlake, and therefore a second cousin once removed. Alderman Wood appeared to have been an intimate friend of the deceased, who had a great regard for him. He had been introduced to the deceased by his sister, about 1820, and after 1824 they had become very intimate ; it was therefore extremely probable that he would have given a very considerable proportion of his property to him. With respect to Mr. Chadborn, nothing was more probable than that he would have been appointed as executor. He had been his confidential solicitor for many years, and had managed his whole estate, and there were declarations ascribed to the deceased that Mr. Chadborn had given him his services gratuitously, and that he would put him in a corner of his will. The deceased's opinion of Mr. Chadborn's disinterestedness did not appear to rest on very solid grounds, for, though he did not make out a bill of charges, he kept

a regular entry in his books of his attendance and services, and had since his death sent in, as a set-off to claims against him, a bill for services rendered to the deceased to the amount of between 2,000*l.* and 3,000*l.* With respect to the other executors, there was no improbability, rather the contrary, in their being benefitted by the deceased's will. But these were mere grounds of probability—they went no further—they did not lead to the act of disposition. The learned judge then considered the declarations attributed to the deceased, which he considered loose and vague, or improbable, or inapplicable, or as intended to parry impertinent questions, or to quiet the apprehensions of those who kept money in his bank, lest on his death there should be no administrator of his effects. He was of opinion that the executors had failed in establishing the paper of the 2nd of December as part of the testamentary disposition of the deceased, and he pronounced against it. This being the case, no person before the court had an interest in propounding the paper of the 3rd of December, for the sole interest of the supposed executors depended on the paper of the 2nd, and that being pronounced against, their interest was disposed of, and both Mrs. Goodlake and Mr. Hitchings opposed the will. There only remained the paper of July, 1835, which had come to light in so mysterious a manner. There was nothing in the amount of the sums bequeathed by this paper, or in the persons named as legatees, which was improbable, considering the immense property possessed by the deceased; nor was there anything on the face of the paper to excite suspicion with reference to its contents. It had been produced in a mysterious manner, and that circumstance and the non-appearance of the writer or transmitter of the paper, notwithstanding large rewards had been offered, threw a difficult burden on the legatees. The letter which accompanied the paper suggested a charge against some persons or other of an atrocious character—namely, an attempt to burn this paper along with others. Who the persons were the court had no means of exactly ascertaining; but, from the plea, the charge seemed to point to the executors, or some person connected with them. There was, therefore, nothing to support this paper but the evidence of handwriting, and it was admitted that the court could not, on the evidence of handwriting alone, pronounce for the validity of the paper: there must be something to connect it with the deceased. The rule was binding on the court; for, though the legatees laboured under these disadvantages, and though they alleged that this paper had been rescued from destruction, there was no proof of this, and the court could not act on conjecture only. The circumstances stated in the allegation were of some importance, and this had induced the court to allow some latitude of plea to the legatees. They alleged that the executors had free access to the repositories of the deceased, and had ample opportunity of destroying or suppressing papers, and it had been admitted by them that one paper had been destroyed by Mr. Chadborn, acting upon the advice of Mr. Phillpotts, which it would appear was of a testamentary nature, and would have been sufficient to constitute Mr. Chadborn executor, according to the

tenour of that paper. As all the persons capable of giving information on these points were in the deceased's house, the allegation was necessarily a kind of fishing allegation. But, even supposing that there was ground for believing that the executors, having access to the repositories of the deceased, had abstracted or destroyed a codicil, of which there was no proof, still there would be no evidence that they abstracted this particular codicil; and mere probability was not sufficient to rebut the presumption of law against a paper not coming out of the repositories of the deceased. The evidence of the handwriting on the instrument was, as usual, extremely contradictory, but it preponderated strongly in favour of its genuineness; so much so, that coupled with the probability of the disposition, he should not hesitate to pronounce in favour of the paper, if he could do so on evidence of handwriting alone abstracted from all other considerations. The learned judge then commented upon the suspicions attaching to Mr. Chadborn on his visit to the house of the deceased early in the morning of the 20th of April, in respect to the time of his visit, on which his statement had been contradicted by several witnesses. What passed on that occasion it was not possible for the court to conjecture; but where a party acted as Mr. Chadborn had done, it did create a suspicion that he was there for some purpose which would not bear to be disclosed. There was another circumstance which threw a degree of suspicion on the executors; the servants, Ann Lewis and Ann Nichols, were alleged to have had reason to believe that the deceased had executed other testamentary papers, of a later date than the 2nd and 3rd of December, and knew who the person was who sent the paper to Mr. Helps, and that papers had been burnt in the deceased's house; but the legatees were not able to get access to these witnesses, who were in the custody of the executors. Now, when such imputations were thrown out against the executors, why did they not produce these servants? What could they apprehend from their cross-examination? Their conduct in this respect tended to support the suspicion against them. Looking at all the circumstances of the case, though the evidence, in affirmance of the genuineness of the codicil, as far as handwriting went, was extremely strong, it was impossible for the court to pronounce for the paper on that ground alone, and he consequently pronounced against it, as well as against the validity of the paper of the 2nd of December, 1834. On the question of costs, the general practice was, that where a party set up a paper like this, and failed to establish it, they were liable to costs. This had been done in cases where, as in the present, there was no suspicion that the party propounding the paper had been privy to any fraud. But there were peculiar circumstances in the present case which induced the court not to adhere to this course—namely, that, but for the production of this paper, the executors would have wrongfully obtained probate of the two papers of the 2nd and 3rd of December, 1834. And who were entitled to press for costs? Not the executors, for they had not established their case. Mrs. Goodlake might press for costs, as she had opposed the codicil as well as the will; but

when the court looked at her conduct, as the nominal opposer of the will, it could not consider that she was entitled to her costs. But there was a further question as to costs. The executors had propounded the papers in an improper manner, and having failed in establishing them, the court would be bound to condemn them in the costs; but the difficulty was to say whose costs they should be condemned in. The legatees had failed; Mrs. Goodlake [illegible] in reality to support the [illegible] set up. But the court, for the sake of public justice, in order to prevent such experiments for the future, and to mark the court's disapprobation of the manner in which the executors had brought their case forward, by a suppression, if not a misrepresentation of facts, should condemn them in the costs incurred by Mr. Hitching in the opposition he had given to the papers.

The delivery of the sentence occupied nearly six hours and a half.

The proctors for the executors gave notice of an appeal from the court's decision.

NEWCASTLE ASSIZES,
JULY 30.

TRIAL FOR MURDER.

Archibald Bolam was charged with the murder of Joseph Millie, on the 6th December, 1838.

The prisoner pleaded, "Not guilty."

From the statement of the counsel for the prosecution, it appeared, that the prisoner had, for sixteen years, held the situation of actuary to the savings-bank of Newcastle, and had performed the duties of that office with satisfaction to the parties connected with the establishment, as well as with high credit to himself. In November, 1837, the deceased, Joseph Millie, had been taken into the office by the prisoner, as a temporary clerk, and subsequently became, through his influence, permanently engaged in the office. During the time that Millie was in the office, it had been remarked that he received singular marks of attention and kindness from the prisoner, who had even been in the habit of having meat dressed at his house, and then sent to the residence of the former for his children. Millie was a man of 54 years of age, had, in days gone by, been in business at South Shields, but failed; had become a widower, and was left with four children. On the 4th of December, two days before the murder, he was appointed to the clerkship. On that day, he was invited by the prisoner to dinner, and the porter of the establishment also received a similar mark of kindness. Towards the close of the year, when the accounts were being made up, it was usual for the prisoner and the clerk to remain at the office as late even as 9 or 10 o'clock at night, and on the present occasion, Thursday, the 6th of December, the prisoner had taken his dinner there, it having been sent to him. Millie, however, went home to dinner, at half-past 3 o'clock, and returned. The bank was situate in a stack of buildings, called the Arcade. The door of the bank opened into a sort of vestibule, which was common to all the other parties who lived in the various flats of the building. On opening the door, there was a staircase leading from the left hand side of the vestibule up to the three flats

which were above the offices used by the bank, the latter being on the ground floor.

The first witness called in support of the prosecution was the porter, Matthew Cree, who deposed, that on the day of the murder, when he left the office, at half-past 3 o'clock, the prisoner and the deceased were sitting together, "side by side, at the table, near the fire, like two brothers." At this time, the door of the waiting room, which opened into the Arcade, was locked, and the key placed in its usual place. On the 4th of December, witness dined with Bolam, at his house in Gateshead; Mr. Millie, the prisoner, and himself, made up the party. After dinner, Bolam filled a glass of wine to Millie, drank to Millie's health, wished him long life, and hoped he might long enjoy his situation.

Two of Millie's children, a boy and girl, of 12 and 15 years of age, deposed, that their father was to have gone home to his tea at half-past 4 or 5 o'clock, on the 6th of December, but that he never returned to his home, after he had quitted it at dinner-time.

The next witness, a watchman, of the name of Moore, went on his beat that afternoon at 5 o'clock, and he stated, that he was standing near to the door of the bank in the Arcade. There were, at that hour, many persons flocking to the post-office, which was in the Arcade. He continued about that spot until near 10 o'clock, shortly after the post-office was closed, and he did not observe anything occur sufficiently remarkable to attract his attention. Moore was succeeded in his duty by a person named Davis, who went into the Arcade at a quarter before 11 o'clock. At that hour, the outer door of the bank was open, and continued so until half-past. At 12 o'clock, Davis saw that the door was closely shut, and then walked on to the end of the Arcade, and having arrived under one of the windows of the room looking into Manor-chase, entered into conversation with another person, with whom he there met. That conversation, it was stated, was carried on in so loud a tone of voice, that it could have been heard in the bank, and was actually overheard in Pilgrim-street, by Miss Latimer, a dress-maker. This witness stated, that being that night unwell, she had risen several times, and that on neither occasion had she seen either fire or smoke issuing from the bank. Even as late as half-past one she had looked, and saw nothing. About 20 minutes to 2 o'clock, however, a dim light was observable through the windows of the waiting-room. The light was similar to that proceeding from a fire which was going out.

William Dunn, apprentice to the proprietor of the *Newcastle Courant*, deposed, that he went past the bank, at 20 minutes past 2 o'clock, on Friday morning, December 7, to put some papers into the post-office. At that moment, he did not observe any fire, but on his return, he saw smoke coming up on the outside, and a glare-light within. He instantly ran to the newspaper-office, and informed some persons who were there, of what he had just witnessed, and they all proceeded to the spot.

Daniel Golding, one of the police, was in Pilgrim-street when the fire began. I first saw it about 20 minutes to 2 o'clock. I

went to the police-station, and gave an alarm of "Fire." I then came through the Arcade, from the bottom end. I came to the outer-door of the savings-bank; it was open, and the flames were breaking through the inner door of the waiting-room. Nobody else was there then. The door into the bank and the waiting-room were both shut. I went to call a turncock to get water. I was away three-quarters of an hour. I then went into the waiting-room, to assist the firemen. The fire was nearly gotten under. The safe on the left hand next the door, was open; the key was in it; the outer door of the safe was wood, and burnt. The iron door was open, the key was in it, and the papers burning. The wainscot of the room was all burning, and some of the floor.

James Robson.—I am a lace-dealer in the Arcade, on the same floor with the savings-bank. On the evening of the 6th of December, I was in the shop from half-past 5 till 9. After I left shop, I went to Mosley-street. I returned home a quarter before 11. I found the door open as usual. I closed it. It locks with a spring. To open it from the inside, a key is not necessary, but it is from the outside. There is no doorway into the savings-bank. During the time I was in the shop, I heard no cries. At a quarter before 11 I saw no fire; I heard no noise. I went to-bed about 12 o'clock. I was alarmed between 1 and 2 by a servant-girl. She slept in the next room to us. I got up, and found the smoke coming upstairs into the room. I roused my wife immediately. We got out of our bedroom windows upon a ledge and so got down. Three persons have keys of the outer door in the Arcade—Mr. Green, Mary Bolam, and myself. I should not have heard a disturbance in the bank, unless it was very loud.

William Appleton, foreman of the firemen of the North British office.—I received an alarm of fire. I took my engine to Manor-street, at the low side of the Arcade. Michael Elsey, William Gray, and Thomas Walker, were with me. I entered the front of the Arcade; I entered the bank door. A man named Wardle was with me; he is since dead. He was at the door with the branch pipe of the engine directing it towards the safe in the waiting-room. I requested him to play on the inner door, which he did. I then stepped up to the door, and tried to open it. It went open a little way, and forced itself back again. I tried again, and it did the same; it repelled back; I tried it a third time, but could not get it open. I tried again, and forced it open with my foot; it then gave way readily; the panels came out and fell upon me. I did not feel the same repelling force as before. I went to the waiting-room again. The engine was still playing there. I then went to the bank; but for the smoke went back. There was so much noise without, that I could not have heard any voice within. In a second or two, I went forward again into the bank. I knew the premises; I had a deposit there. I advanced to the fire-place; there were some red cinders in the fire-place. When I got near, something catched me by the foot. I put my hand down, and found it was a man's leg. I cried out, "Here's a man." I went back to the waiting-room, and having obtained a lantern, I returned to the

bank. Two men were standing over the body; one was Joseph Armstrong, the other, inspector Bell. Armstrong was cashier of the bank. I passed to the head of the dead man. I cried out, "O, men, there must be more than this." I turned to look round the room, and the light of the lantern shaded on the head of a man who was lying on the floor; I cried out, "O, here's another man." He was resting on his left elbow, with his head near the high window which looks into Manor-chase, the nearest window towards Pilgrim-street. His hat was on, and his plaid on his shoulders. When I said, "Here's another man," I saw him distinctly turn his head, and look at me. He opened his eyes; I said, "O it's Bolam." I knew him well, and had done so 14 or 15 years. He dropped his head and shut his eyes, and fell on his back. I stepped up to him, pulled his hat off his head, and his plaid from his shoulders, and lifted him up. I let the hat and plaid fall on the floor. I raised him on his breech, and by that time, a number of people had come up. When resting on his elbow, he could see the partition door. I said, "Take hold, I will get on the table, and open the windows." The fastenings were on those in Pilgrim-street. I could not get them open. I tried those in Manor-chase, and opened the shutters; the fastenings were loose. Alderman Dunn came up, and several others. Mr. Dunn got hold of Bolam's wrist, and said, "There is a pulsation." Bolam was lifted upon the table. A person fetched a basin of water, and he was asked if he would drink. He did not speak, but motioned with his mouth. It was handed to him in a basin; he took two mouthfuls of it. Some one said, "Take him to Mr. Glenton's;" that was done: I saw a wound in his neck; I can scarcely say on which side. When his neck-cloth was taken off, he had a flannel on, and the wound was there. I remained in the bank. There were candles, two in one stick, standing on the table opposite the fire-place. The candles might be from four to five inches long. The police requested me to leave my lantern. I said, "No; here are candles, we will light them," They were so close cut down, that I could hardly light them. I think they were moulds. The body of Millie lay on the hearth-rug. This witness's evidence was corroborated by that of two of his assistants, as also by Joseph Armstrong, cashier of the savings-bank, from whose evidence we subtract the following. Bell and I attempted to go into the bank; we could not, at first, for the smoke, but in three or four minutes we got in. We went to the table at the end of the desk. I went towards the fire-place, I struck something with my foot. Bell turned his lantern, and looking down I saw Millie's body lying on the face. The arms were doubled up under the body; one at least was. The body was quite cold, and very stiff, and lay on the hearth-rug. I saw a man lying on the ground. He was lying upon his shoulder, resting on the elbow. His head was not down to the ground; it was hanging on his left shoulder. I saw his plaid lying across his hip. I cannot remember if his hat was on at that time. When I came he was raised up, I think by Little, one of our men. He looked up with his eyes,

and his head drooped down upon his shoulders. He was raised up by the shoulder; I think his head was raised by his own effort. Mr. Glenton, the surgeon, came, and Bolam was taken away to his house in a chair. I went to Glenton's a few minutes after; Bolam was lying on the kitchen table; his dress was cut a good deal. His shirt breast was open and very bloody; the blood was wet. He was smacking his lips, as if attempting to swallow. He moved his hands and head occasionally. I then went to the office for a quarter of an hour. I came back to Glenton's. Bolam was then sitting in a chair in the kitchen. Several were then with him. He was speaking when I came in. He said, that in consequence of receiving an anonymous letter that day (the Thursday) threatening to do him harm, he was induced to go home about half-past 5 o'clock in the evening, and Millie had previously gone to his tea. On his (Bolam's) return, about 7 o'clock, he found the bank door locked. He opened it with his own key, and put it in his pocket, and on going to his desk, he saw Millie lying on the hearth-rug, as he thought, asleep, and on attempting to open his desk, he thought he heard some person behind him. He turned round and received a blow on his temple, which knocked him down. He got up again, and ran shouting to the window. The person followed him, and threatened that if he made any noise he would serve him as he had done the other man. He received a blow and fell. He felt a person cutting at his neck. He became insensible, and did not recollect anything more till he heard some person going about the waiting-room. He said it was a little man about the middle size, having on a frock coat, and his face blacked. He said he had shown some of the letters to Mr. Bulman, and said to me, "Mr. Armstrong, you know about that." He said he had left the letter he received on the Thursday lying on the desk in the bank. I never knew of any letter threatening him. A twelvemonth before he showed me a letter ordering the payment of some money, but we could not find the name in the books. I looked for the letter the same morning, but never found any. I afterward went to examine Bolam's desk. I found it in its usual state. The keys were in but the desk was locked. It was opened by a policeman. Bolam had the key of the safe. It is fire-proof—that by the side of the door. He always had the key of the outer door of the safe, and of the inner safe also. I have known Bolam above 16 years. I have been cashier of the bank seven years. He was in it when our acquaintance began. As a man of integrity, humanity, and good-nature, I never saw anything but good of him. I had known Millie upwards of 12 months. I never knew any altercation or quarrel with them. We lost a book at the fire, but we have a duplicate. We find no inaccuracy or deficiency at the bank, or in the accounts whatever.

Edward Bell, sub-inspector of police, referred to by the last witness, as having entered the bank with him, corroborated his statement as to the finding of the body of Millie, &c. The poker was bent, and had hair and blood adhering to it. There was also blood on the fender and tongs. The hearth-rug appeared saturated

with blood, where the head of Millie lay, and there was a good deal of blood on the deceased's arms and legs. Witness thought the feet had the appearance of having been laid out by some other person.

Mr. George Thomas Dunn, alderman and justice of the peace in Newcastle.—I was at the Arcade about twenty minutes past two o'clock. As I went in I saw men moving a body. There was a cry "Here's another body." I went near the window next to Pilgrim-street. I saw a man sitting in a reclining posture, his head drooping down the left side. Some persons exclaimed "Bolam, Bolam!" He raised his head and looked earnestly. I can't say he looked conscious; it had more the appearance of a direct stare. After a few moments his head sunk down over his shoulder. I stooped down and felt his pulse. I said there was pulsation. I found it without trouble distinctly. I cannot say whether it was strong or not. Some bystanders raised him up, and his neckerchief was taken off. I then first saw blood on him. Water was brought in a basin. I handed it to him; I have no doubt he drank of it. I can't recollect that I saw him swallow. I had my eye on the basin. I turned it up, so that the water ran to his mouth. I observed no motion with his mouth. The neckerchief came high up to his chin. When it was removed I saw blood, and when the black stock was removed I saw the cut in his neck. I think the blood was fresh. I did not touch it. I went to Glenton's in about a quarter of an hour after Bolam was removed there. He was lying on a table in the kitchen, and appeared sensible. It must be half an hour before I heard him speak; it was a whisper. The first I heard he said, "There has been somebody moving in the bank all night." After that many persons asked him questions, and he answered.

After repeating the account given by Bolam to the same effect as the witness Armstrong, alderman Dunn continued. The next morning I had more conversation with him about nine o'clock. He was sitting at breakfast with Mr. Glenton's family. He said he received two other letters which he had burnt; that the one he received last he put in his desk. He said there was 88*l.* in the safe belonging to himself. I saw some cuts about his coat—it was on then. He then said there was 4*l.* 10*s.* in gold, which had been given to him by Mr. Aivy to put into the bank, and one sovereign and 20*s.* in silver. I then went to the bank, and in the closet of the waiting-room I saw water and a towel in the water. The water was dirty with soot. There were two considerable stains of a reddish brown upon the towel. I searched for the letter he said he had left in his desk, but could find none. After that I examined the prisoner's coat. There was a stain on the outside, as if an effort had been made to wash it out. I put a pin across, turned the sleeve inside out, and ripped the lining. There was a stain on the lining of a slightly red colour. I thought there had been an attempt to wash out the stain. The stain looked as if blood mixed with water had come through to the lining. The handkerchief taken off the prisoner was wet and stained with blood.

William Armstrong.—I was in the bank on the 7th of December

I was present when Bolam was found. I assisted to take the handkerchief and stock from his neck. There is a cut in the stock [produced], and a cut in the handkerchief [produced]. The cut in the handkerchief does not go right through it to the wound on his neck; there was no fresh blood then issuing from the wound. The blood on the handkerchief was wet, and dropped when wrung out with the hand.

John Bulman, secretary to the savings-bank.—I don't remember Bolam showing me a threatening letter. A week or two before, he showed me one giving notice about drawing money. We could not find the name in the book. There was no threat in the letter. I have known Bolam fifteen or sixteen years. During all that time his character for humanity and integrity was as high as any man I know.

Mr. Glenton.—I keep a druggist's shop, and practise medicine and surgery. I was sent for to the bank about half-past two o'clock. Bolam was almost immediately removed to my house. I saw enough to satisfy me that he was in a very exhausted state; his pulse was feeble, skin pale, and hands cold. I applied stimulants to restore him. In about half an hour he began to revive, and he showed consciousness. I thought the pupil of the eye not very sensible to light. The approach to consciousness was gradual. He was revived in some degree by his passage through the open air. He told me afterwards that he had a recollection of passing through the open air. It was somewhat less than an hour before he spoke. I believe he might have spoke sooner, but, from prudential motives, I prevented him. Alderman Dunn, and others, were there. He spoke in a feeble manner. I should have supposed that a quarter of an hour before he was brought to my house he could not have raised himself upon his arm and looked several people in the face. I attribute the state of insensibility to the atmosphere in which he had been placed; I will not say entirely to that. I examined his throat. There was a wound an inch and a half in length on the left side of the neck, a quarter of an inch below the jaw. It was merely through the true skin, and of no consequence. I dressed it with adhesive plaister. I examined his sides next morning; I found some straight up and down scratches, and a slight abrasion. There was a group of scratches. I think they were inflicted by some sharp instruments. There were cuts in his coat, through waistcoat, shirt, and flannel shirt, on the right side through to the skin. There were four or five in the coat. There are two about a quarter of an inch in length through the shirt. I examined them, and thought the cuts in the shirt corresponded with those in the coat. I don't know that all the cuts were through; I think not. There was no mark on his back. There were two blackened surfaces on the back as if inflicted by a blunt instrument. There was blood on the left hand wristband of the shirt, a little. He sat a while with me up stairs. He had recovered his voice, and gave me an account pretty nearly in his usual tone. He then went to bed. I went up to him. In the morning I went up about nine to inquire after him. He breakfasted with me, and went to bed afterwards. I remember one of the servants calling to me from up-

stairs. She said, "A man is going out." It was Mr. Bolam who came down. I think I had not been up then. He came to the foot of the stairs, to the front door. He had no hat. He came to my house without one. I don't remember expressing surprise at it. I thought he did not know his way to the breakfast-room.

Mr. Beard, senior surgeon to the infirmary.—The Friday after the murder I was called in to see the body of Millie: It was very much disfigured. There was a great cut over the right orbit, and a portion of the skull, and higher up a wound by which the skull was broken in as an egg is by breaking it. On the left side was an extensive wound. I could pass my hand into it. It would have killed any one instantly. The effect of a blow on the face was very evident. A poker, in the hands of a strong person, would be sufficient to produce the injury. From the appearance of the left hand I think it received injury before death, in defending himself. On Saturday, the 8th of December, I saw the prisoner at the gaol. I examined his person. I observed a wound on the left of his neck, running parallel with the base of the jaw, made with some sharp cutting instrument. It was three inches and a half long, merely skin deep. I thought at the time it was not intended to do a serious injury; if it had been, the cut would have been more irregular, and deeper. I found scratches of the cuticle on the right side. They were parallel, all in the same direction. They might be done by the point of a penknife. I observed no abrasion. I think it could hardly have been done by one blow of the knife. I think it would require many motions of the knife. There were three, or, perhaps, four scratches. I compared the cuts on the clothes, and my impression was, that the scratches were given with the clothes off. They corresponded with an opening in the flannel shirt, which appears to be a jagged mark. I can hardly say what instrument it was done with. There does not appear that any blood came from the scratches upon the clothes. The scratches were such as blood would come from. There were many cuts in the coat without any corresponding wounds on his body. I saw no marks on the skin to correspond with the cuts in the back of the coat. There were corresponding cuts in the waistcoat. I also examined the shirt. The cut in the neck would account for all the blood I saw on it. I conceive, it would not have flowed as it has done if he had lain horizontally. I examined the neck of the shirt. I found cuts in it which were not given with the cut in the neck. I examined the head of the prisoner. I could find no evidence of a blow there. It was about one or two o'clock on the Saturday I examined the head. He pointed out places where he said he had received blows. I told him I found no appearance of blows there. I saw his shoes several days afterwards. There were one or two distinct marks of blood. I examined his gaiters at the same time; there were some drops of blood on them. There were some spots on the trousers, below the knee, I think.

Three surgeons were called, all of whom agreed as to the appearance of Bolam, and were also of opinion, that his insensibility might have arisen from congestion of the lungs, produced by the smoke.

Several other witnesses were

examined, but their evidence was not very material. Two of them deposed to having met Bolam a few minutes before seven o'clock on the evening in question, walking in a hurried manner between the Sand-hills and the Lide, in the direction of the bank. A woman, who lived next door to Bolam, heard a pane of glass break in a window at the back of his house about five o'clock, and the back-door of the yard open and shut several times between seven o'clock and ten.

The evidence for the prosecution occupied the whole of one day, and, on the next, Mr. Dundas addressed to the jury an elaborate speech on behalf of the prisoner. He dwelt on the improbability of Bolam, a man who had borne the highest character for years for kindness and humanity, and who had acted in the most friendly and considerate manner towards the deceased up to the moment of the murder, being guilty of so foul a crime; a crime, too, without any assignable motive, since, according to the cashier, who had the inspection of the books and accounts, there had been neither abstraction nor deficiency in the money at the bank. He urged the fact of the appearance and condition of the prisoner's clothes, as a proof that he could not have been the person who had handled and laid out the body of the deceased in the way that had been described. He referred to the evidence of Mr. Glenton, as proving that the insensibility of the prisoner could not have been assumed. As to the anonymous letters, if Bolam's statement, that he had received three letters of that description, all of which he subsequently stated he had burned, had been an untruth, nothing in the world could have been more easy than for him to have written these letters in a disguised hand, and left them in his desk.

On behalf of the prisoner, no less than seventeen witnesses, all persons of great respectability, were called as to character. They uniformly described the prisoner as of a most humane inoffensive disposition, and of unexceptionable conduct.

Mr. Baron Maule charged the jury, summing up the evidence, and commenting upon it, as he went along. "The prosecutor's case," he observed, "was, that about half-past seven o'clock the prisoner deliberately murdered Millie, and then went back to his house and broke a pane of glass to get in; that he made the cuts in the back of the coat, without corresponding cuts on the person; that he cut holes in his coat, with no cuts in the flesh to correspond with them; that he cut his throat, letting out half a pint of blood, and giving himself a knock on the temple to conceal the murder. There are great difficulties, remarked the learned judge, in the case for the prosecution, but there are also difficulties in that of the defence. It is a great question whether the fire was lighted to consume the body that it should not be discovered. There is no doubt that the prisoner was found in such a state that if he had remained a few minutes longer he would not have been here. It might be that a person having committed such a crime would be inclined to commit suicide, but that does not agree with so slight a cut in the throat. There are two other ways of treating the case. The prisoner may be guilty of the death of Millie under other circumstances.

Some difference or altercation may have taken place between them. The evidence goes to show that there was no ill-will or malice; but among a thousand causes some spark of anger may have been kindled and blown up; a scuffle may have ensued, and the man at the bar may, in a state of excitement, have been the death of the deceased: and if he were so, and blows passed between them in conflict, he would have been guilty of manslaughter, and that would furnish motives enough for a statement which would, in his opinion, screen him from banishment from his native country and his friends. The holes in the coat might have been made in a scuffle. This view furnishes motives quite sufficient for the fire as well as for the other facts. Again, you may hold, looking at all the inferences on both sides, that the facts are insufficient to show that the prisoner is guilty beyond all reasonable doubt. The prisoner had received a good character, which shows that he was an unlikely person to do it at all; and whether you think the case is involved in so much mystery as to leave you to doubt or not, you will give him the benefit of that character."

After an absence of about three hours, the jury returned a verdict of "Manslaughter."

1840.

MONMOUTH — SPECIAL COMMISSION, JAN. 1.

TRIAL OF JOHN FROST, FOR HIGH TREASON.

Soon after 7 o'clock, a. m., the judges (sir N. Tindal, Chief Justice, Mr. Baron Parke, and Mr. Justice Williams) entered the court, and the prisoner was placed at the bar. The indictment preferred against him, consisted of four counts, in two of which he was charged with levying war against her majesty, in her realm; in the *third*, he was charged with compassing to depose the queen from her throne; and in the *fourth*, with levying war against the queen, with the intent to compel her to change her measures.

Before the commencement of the trial, much time was occupied in the consideration of an objection alleged by the prisoner's counsel to be in the way of its being farther proceeded with, viz., that the prisoner had not had a list of witnesses delivered to him, pursuant to the statute of the 7th Anne, cap. 21, which requires that the list of witnesses should be delivered to the prisoner, *at the same time with the copy of the indictment.* In the present case, the list of witnesses, was proved to have been delivered to the prisoner five days subsequent to the date on which the copy of the indictment had been given him. After hearing the arguments of counsel on both sides, in reference to the objection raised on the grounds aforesaid, the judges eventually decided to allow the trial to proceed, and take the opinion of her majesty's judges on the validity of the point, provided that such proceedings should become necessary.

The *Attorney-general* then rose and laid the case for the prosecution before the court and jury. He explained at length the law of high treason; and called attention

particularly to those interpretations of the law by eminent judges which brought riotous assemblages, for public, not private objects, within its scope. He then proceeded to describe the geographical character of the country in which the insurrection had taken place. It was, he said, in a great degree, wild and mountainous, and abounded, in every part, with mines of coal and of iron, which have been, of late years, worked to a very considerable extent, so that in a district where, fifty years since, there were scarcely any inhabitants, save the scattered huts of a few shepherds and mountaineers, there was now a dense population, amounting, according to the nearest possible computation, to upwards of forty thousand, almost all of whom were engaged in the mining and coal districts. He was afraid, that the disposition of this population was not peaceable; and, as their ignorance was very great, they were easily subject to be misled and practised upon by evil and designing men, who had, by means of certain societies, so organized the population, that a command might be readily circulated among them, and as speedily obeyed. This, he believed, was an accurate view of the state of this population, on whom, it appeared, that the prisoner, John Frost, had obtained an influence, to a very considerable extent. Upon the week previous to the rising, it would appear, that a general plan of insurrection was formed; and that there were various consultations and meetings, at which the plans laid were discussed, at which meetings and discussions, Mr. Frost was present. These meetings were chiefly held at Blackwood, at a public-house there, at which the lodge was held. There was one of these meetings held at Blackwood, a most important one, upon the Friday preceding the day of the insurrection; at which meeting various deputies attended, and a return of the numbers of the armed force which could be mustered, was made, and there the plan was laid for the scheme which was afterwards to be carried into effect. It was then arranged, that they should all assemble on the night of Sunday, the 3rd of November (being the evening next preceding the day of the insurrection) in three principal divisions. The first division, under the command of the prisoner, John Frost, himself, was to assemble at Blackwood. Another division was to be under the command of a man named Zephaniah Williams, who lived much higher up the country, and who kept a beer-shop, at a place called Coalbrook-vale, and who was to lead the men from Nant-y-Glo and that neighbourhood; while the third division was placed under the control of a person who is named William Jones, and who is, I believe, a watchmaker, residing at Pontypool, and who was to collect all the men from the neighbourhood of Pontypool and from the north and the west; and they were to meet the others at Risca or the Cefn about midnight on the Sunday; and having there all assembled together, they were to march upon the town of Newport, at which it was intended they should arrive about two o'clock on the morning of Monday the 4th—a time when it was supposed, that no suspicions would be aroused, no preparations for defence made—at the dead hour of the night, when the peaceful inhabitants, buried in sleep, would

be unprepared to offer the slightest opposition to their treasonable designs. Arriving there, they were to attack the troops, break down the bridge which, as is known to you, gentlemen, crosses that splendid river, the Usk; and thus stopping her majesty's mail, signal-rockets were to be thrown up upon the hills; and the stopping of the mail was to be a signal (by its non-arrival for an hour and a half after its usual time at Birmingham), to those who, it was said, were there connected with these treasonable designs for a rising at Birmingham, and a general rising throughout the north of England; and the law of the charter was to be proclaimed at once throughout the land.

The attorney-general then proceeded to describe the part which Frost took at this stage of the insurrection. The jury, he said, would find, that the division under the command and control of Mr. Frost assembled much earlier than the other divisions. This division being so assembled, the prisoner gave them the word of command; and he marched with them down by the way of Risca to the Welch Oak, where the junction was to take place; but from the difficulties which the weather threw in the way of the march of the men from the upper districts, they did not arrive for a very long time after the hour at which it was arranged that they should be there. Zephaniah Williams did not arrive with his men from Nant-y-Glo until daylight, and William Jones of Pontypool, with his men, did not arrive at all. A party which he sent forward under the command of a man named Britton, did arrive, but the main body of the men from the Pontypool district, under Jones, did not arrive; and the prisoner, John Frost, remained with the body under his command until daylight, waiting the arrival of the other bodies. As, however, they had not then arrived, he thought it necessary to muster the forces which he then had there under his command, and march on with them upon Newport. There were then, with him, according to the best calculations which could be made, at least five thousand men; the most of whom were armed, some with guns, others with swords, a large number with pikes, and some with mandrils—a sort of instrument with which they cut coal—a kind of pickaxe; and others were armed with scythes fixed on sticks, and those who could not get arms of this kind, were armed with sticks and bludgeons of various kinds. The prisoner John Frost took the command, gave the order to march, and they did so; they marched in military array, five abreast. They proceeded, in the first instance, through Tredegar Park, the seat of sir Charles Morgan, where they halted for a time. They then marched on till they came to Crosshands, about half a mile from Newport. Inquiries were then made by Frost, with respect to the state of affairs in Newport.

The preparations for the defence of Newport were then described by the attorney-general, and the principal circumstances of the attack. The insurgents having arrived before the Westgate Inn—*Frost being with the men at the time*—the word to fire was given; but Frost was not seen among them after the time when the firing first began—

Zephaniah Williams was about ten minutes too late. He did arrive at last with his Nant-y-Glo

band—a band nearly as numerous as that led on by Frost himself. William Jones, from Pontypool, did not get nearer than the neighbourhood of Malpas, when he heard of the disasters that had happened. He was proceeding down a lane to meet the other party, when he heard of the disaster that had taken place to his associates at Newport; and he likewise fled, and his men dispersed. All these three parties as they came down, scoured the country, and pressed into their service various persons who were unwilling to attend them, but were compelled by them to march, at the same time seizing all the arms they could find. Frost himself was seen retreating in Commercial-street, and on the road leading towards the park, after the action was over. He was seen soon after in Tredegar-park, about two miles from Newport, making his escape into a wood. He was apprehended in the town of Newport, on the Monday evening, at the house of a person named Partridge, with pistols and powder upon him. Peace and tranquillity were thus restored; and it would be for the jury to say, if these facts were proved, whether there could be any reasonable doubt of the guilt of the prisoner. With regard to the main circumstance of the case, no doubt could possibly be entertained. He would prove the facts by witnesses above all exception, wholly unconnected with these disturbances, who were trying to establish peace and restore tranquility. With regard to particular declarations made by Mr. Frost, these, most undoubtedly, would much depend upon the evidence of persons who were concerned with him in that insurrection."

He was aware of the objections which would be made against these witnesses. The counsel for the defence would, no doubt, make comments on their testimony, and would call them accomplices. Still such evidence, in such a case, must be laid before a jury; it was quite clear, that treasonable consultations never would be held in public. How, then, could they be proved, except by the employment of spies and informers, whose evidence has always been condemned, and very often disbelieved, or by the evidence of those who were actually, in some degree, connected with them. In this case, he proposed to call before the jury no spy nor informer, for none such were employed; but he did propose to call before them, several who were employed, more or less, in this insurrection, and who might, he thought, be safely trusted, if their evidence should be consistent. Upon that evidence, as it seemed to him, no doubt at all could exist in the minds of the jury, with regard to the guilt of the prisoner, and that that guilt amounted to high treason, inasmuch, as there was here, according to evidence, an armed insurrection, very formidable in numbers, with a public purpose, and that there was actually a conflict with the queen's troops, not accidental, but engaged in, with premeditation and design.

At the conclusion of the attorney-general's speech, witnesses for the prosecution were called by the solicitor-general.—Samuel Simonds, the first witness, deposed, that on the morning of the 4th November, he saw Mr. Frost near the Porta-y-bella weighing-machine, which is almost a mile from the Westgate inn. There were many persons with him, some of whom had guns, others scythes,

roasting spits, pikes, mandrils, long pieces of iron, and such kind of things. Mr. Frost was in front, and the party were coming up Stowe-hill, in the direction of the Westgate inn; this was about nine o'clock in the morning; knows that they went to the Westgate inn. At the top of Stowe-hill, by the turnpike, they made a halt. The turnpike is nearer to Westgate inn than the weighing machine, and Mr. Frost there said, "Let us go towards the town, and show ourselves to the town." The word "halt" was first given, but did not hear by whom. They then went down the hill towards the Westgate inn. Witness went in the same direction. (Witness here pointed out in a map the part of the Westgate towards which Mr. Frost went.) The party went down the hill, and passed by the west side of the inn, and then turned round on the right to the front of the inn, and afterwards went round towards the yard, which is on the further side of the inn from Stowe-hill. The inn has two bow-windows, and the yard turns up by the bow-window furthest from Stowe-hill; the gates of the yard were closed. Mr. Frost was on the pavement by the "Anchor" shop adjoining the yard. The people attempted to enter the yard, but did not succeed. The bow-window is on one side of the yard, and the "Anchor" shop on the other. Mr. Frost said to the people, "Turn round, and show your appearance to the front." Witness was close by Mr. Frost when he used that expression; the people then turned round, went to the front of the Westgate inn, and rushed in at the door, which was open. The next thing witness saw was firing; which began near the door. Thinks it began from the people who went up to the Westgate inn door. Saw no person at the door with a gun before the people went up. After the firing began, witness stayed a bit, and then went over to Mr. Mullock, the keeper of the china shop. Had stayed at the Westgate ten minutes or a quarter of an hour. A great deal of firing took place while witness was there. Saw some of the people, who had marched up to the Westgate, firing. When witness went to Mullock's some of the people had ran away. Cannot say whether there was any firing from the inside of the inn before those people ran away. There was a great deal of firing between the soldiers and the mob, and witness could hardly see the Westgate inn on account of the smoke. The soldiers were in the Westgate inn. Witness supposes that the soldiers had fired before the people ran away. After the firing a great quantity of the people threw their arms down, and run away. Did not see any firing come from the soldiers in the Westgate. The last time witness saw Mr. Frost before going to Mullock's, Mr. Frost was on the pavement near the "Anchor" shop. Witness supposes there were about 5,000 or 6,000 people assembled. Saw about that number up about the weighing machine. After going to Mullock, saw nothing more of what took place at that time. Saw two men fall from being shot; one was by the door of the inn, and the other opposite the bow window by the yard. Remained with Mullock about five minutes. When witness came out the people were running in all quarters. The soldiers were keeping the Westgate as clear as they could. Remained until the

mob was quite dispersed. The mob was dispersed in about a quarter of an hour after witness came out of the china shop. He saw Mr. Frost raise his hand as a signal.

Richard Waters, examined by the solicitor-general.—I am an attorney, residing at Newport. I had been sworn in as a special constable previous to the 4th of November last. I know Mr. Frost. I saw him on Monday, the 4th of November, immediately before the Westgate hotel, about nine o'clock in the morning. He was alone, inasmuch as he was on the pavement, but accompanied by an immense body of people in the road. He was close by the house, and the other persons were occupying the whole of the road. I have known Mr. Frost from infancy. On that morning he had a sort of loose red wrapper round his neck. I heard firing, and saw Mr. Frost almost instantaneously. I had to keep watch and ward as a special constable. I was standing in the commercial room of the inn when I first saw Mr. Frost; it is the west bow window of the inn. I went on duty at eleven o'clock the previous night, and remained on duty all the night, and was at different parts of the town. I had been at the Westgate about twenty-nine minutes before I saw Mr. Frost that morning. The people came down Stowe-hill; they immediately wheeled round in front of the inn. I remained in the room as long as I considered it safe. I went into the passage to get into the back yard, but I found the door blockaded by part of these men. I went up stairs; a portion of the window looks across the front of the inn towards Westgate-street. I heard the firing immediately after I saw the persons coming down Stowe-hill. They broke in the windows, which caused such a noise that I can hardly say there was firing. They broke in the windows with pikes and mandrills, and various sorts of weapons. I remained up stairs during the firing, which I think lasted about seven minutes. After I got up stairs I heard some hundred vollies. I saw guns in the crowd. When up-stairs I was in one of the back bedrooms. The entrance to the house is in the middle of the house. As you enter the house you turn to the right to the commercial room, and to the left to a room where soldiers were stationed, which room has also a bow window. The passage was filled with people. I saw one deliberately breaking the windows with a pike. After the firing ceased, I came down stairs, and saw several dead bodies, and several persons dying in the passage. There were three dead bodies, and one person dying out of doors. The people were then partly dispersed. At the time I saw Mr. Frost, Thomas Hatch was near me. I came down from the barracks with the soldiers; they were thirty in number.

William Adams, examined—I am park-keeper to Sir Charles Morgan, of Tredegar-park. The lodge-gate of his seat is on the turnpike road leading from Newport to Cardiff. I know the person of John Frost, the prisoner. I remember standing by the lodge on the side of the turnpike-road on Monday, the 4th of November, near ten o'clock in the morning. The lodge gate is about two miles and three quarters from the town of Newport. I saw from 200 to 300 people coming from Newport in the direction of Cardiff

they were running and walking. I spoke to several, but they passed by me. I got no answer. A person came up to me whom I know to be Frost. He had a handkerchief in his left hand which he held up to his face as if he were crying. He was walking at a strong pace, but not running. I asked him "What is the matter at Newport that the people are all running away from it!" He took his handkerchief from his face. I then knew him to be Frost. He made me some answer, but I did not understand what it was. He passed on towards Cardiff, at the same pace I observed him coming towards me. I was on horseback at the time. I turned my horse to look after him. He kept the road for about 200 yards; he then went in at a gateway leading to some copsewood round Tredegar park wall. There is no public thoroughfare or path there. The gate is a hunting avenue leading to a narrow strip of break or copse, a kind of belt of wood surrounding the park wall. There I lost sight of the prisoner. I am quite sure it was Frost.

Sir T. Phillips, who appeared with his arm in a sling, examined by the attorney-general.—On the 4th of November last I was mayor of the borough of Newport, having been so from the 9th of November preceding. In the course of Sunday, the 3rd of November, I received intelligence which induced me to take steps to preserve the public peace. I gave orders to the superintendent of police to have a number of special constables in attendance on that day. The intelligence I received was, that there was a movement in the hill district, directed upon Newport. In the early part of the evening the special constables were divided into three bodies, stationed at the Westgate inn, the King's Head, and the Parrot—the three principal inns of the town: but at a later period of the evening those who had been in attendance at the Parrot were removed to the Westgate, so that they were divided into two parties—the one at the King's Head, the other at the Westgate. I concerted measures for maintaining the peace of the town, with Mr. Edwards and Mr. Brewer, two of the magistrates. In the course of the same evening we stationed ourselves at the Westgate inn. It was not customary for the magistrates to meet at the Westgate inn. It was about nine o'clock when Mr. Brewer and I went to the Westgate inn. There are two rooms at the Westgate inn between the bow window and the door. We were in that next to the bow window. I remained there during the night. We received intelligence from time to time of the approach of the mob towards Newport. I had communications before I went to the Westgate inn, as early as six o'clock. Soon after we got there we had communications till daybreak. We despatched scouts to procure information from time to time. I remember sending a person named Walker, about six o'clock in the afternoon of Sunday, before I went to the Westgate. He was not sent again next morning; he came back wounded, I should think, about eleven at night. We sent constables to a place called the Marshes, on the north entrance to the town. More than a dozen persons were brought before me in custody by the constables in the course of the night. Nearly all were detained; the greater portion of them were sent

to the barracks about half a mile from the Westgate, the others were kept at the inn in a room on the east side of the house, afterwards occupied by the soldiers.

We received intelligence of the approach of the mob upon Newport, between eight and nine o'clock on Monday. We heard of their advance in different points of the road. I sent for troops to the barracks soon after day-break. About thirty soldiers came to my assistance, under the command of lieutenant, now captain, Gray, and serjeants Daly and Armstrong. Lieutenant Gray, on arriving with the soldiers, first formed them in front of the House. I then went out, and requested he would march them into the court-yard at the back of the House. I returned through the house, and went into the court-yard. Soon after I reached the court-yard, I met the military coming through the large folding gates from the street, into the yard. They were formed again in the yard, and I directed the large doors to be closed, which being done the doors were fastened by means of a large piece of square iron inside. I took lieutenant Gray into a room in the eastern end of the house, and told him I proposed the soldiers should occupy that room if he approved of it as a proper position for them. He did approve of it; but it was necessary it should be ventilated. The troops were marched into it a short time afterwards. They were stationed there. I then went into the front passage, learning that the party were advancing upon the town, I ordered the special constables who were about the door to retire within the House. I directed the door to be closed, which was done. The door was afterwards opened, and two or three special constables were placed in charge of it, with orders to allow no one to enter. I then went from the passage into a room above, which is called the commercial room, of the same size and form as the first floor, learning that the body advancing on the town was coming down Stowe-hill at that end of the house. There is a view from the bow-window of Stowe-hill. I could then see a body of men passing the wing of the house, formed in column, formed regularly abreast of each other. All I noticed were armed, some with guns, some with long spears or pikes. I stood a short time at the window to observe the appearance and formation of the body. I then ran hastily down stairs into the passage below. When I got opposite the bar, immediately in front of the door, I saw the heads of what appeared to me a body of men, if not within, close upon the front porch of the house. They were standing with weapons at their sides; their weapons were carried not horizontally, but vertically by their sides. I ran forward into the room where the soldiers were, and gave lieutenant Gray the order instantly to load. Whilst the soldiers were in the act of loading, I heard several shots fired in the passage inside the house. These shots were before the soldiers had loaded their pieces. I also heard the windows of the room in which the soldiers were, beaten against from the outside. The lower half of the shutters was closed. I heard a noise against the boards, as if the shutters were pushed against, and the glass above was broken. I perceived the soldiers could not act, the lower part of the shutters

being closed. Captain Gray opened one shutter, and I opened another near the centre of the house. I turned round and found my hand benumbed, and looking at my arm I found I had been wounded, and looking down at my trowsers I perceived I had been wounded there also. The shots proceeded from the outside. I have ascertained that my arm was wounded by a slug, and my thigh by a ball. I had been wounded before the soldiers fired. I was in the act of opening the window shutters, and I saw no soldier fire before that time. The soldiers fired into the street and into the passage. I can't tell you the state of the passage at the time they began to fire; I was at the other end of the room. I can only speak to one dead body which fell close at my feet. None of the special constables were killed, but some were wounded. I should think the firing did not continue more than ten minutes. I did not look into the street, but I was in the passage when one man fell at my feet. I mentioned to lieutenant Gray that I had been wounded, but I can't say whether I told him before the soldiers fired. None of the special constables were armed with guns to my knowledge. Soon after, the peace of the town was restored, so far as I know. The wound in my arm was severe. I did not leave the room where the soldiers were till the affray was over. The present mayor was with me the whole of the night, taking care of the special constables. It was an extremely wet night.

Edward Hopkins, superintendent of police, produced some pikes, mandrils, and swords, and a gun. The weapons I saw in the hands of the mob were of this description.

Besides the above mentioned several other witnesses were examined, whose evidence consisted chiefly of circumstances which have been already detailed, relative to the gathering of the insurgents on the hills, and the attack upon the West-gate hotel, Newport.

Captain Basil Gray was then called, and examined by the Attorney-general—Witness is now a captain in the queen's army. On the 4th of November last was a lieutenant in the 45th regiment. The company witness belonged to was stationed at Newport, at the union poor-house. There was at that time no other military force in Newport but his one company, which was commanded by captain Stack. Recollects being detached by captain Stack, on the morning of the 4th of November, with two sergeants and twenty-eight privates, with orders to report himself to the mayor. Marched immediately to the Westgate-inn. Left his quarters about a quarter after eight o'clock, and might have taken eight minutes to reach the inn. On arriving there, formed in front of the building, and consulted the mayor, who desired him to enter the yard, through the stable-gate. He and his company were then stationed in a room with three projecting windows. After witness had made every preparation, the mayor returned to him, and informed him that the mob was approaching. At this time the guns of his soldiers were not charged. The lower shutters of the room were closed. Witness heard loud cheering from the angle turning up Stowe-hill, continued to the front of the building, and perceived over the half shutters certain weapons, spears and pikes. Saw that the mob were forming

in front of the building; they appeared to have formed very steadily from the manner in which the weapons came up; they then discharged a volley of small arms at him, and rushed through the building by the hall-door, which had either been forced or left open; the windows were torn in different parts by the effect of the slugs and balls; down to that time witness's men had not loaded their guns; he gave the word to load immediately; they loaded with ball cartridge, the lower parts of the window shutters were then opened, one by the mayor and one by witness; witness opened the one nearest the entrance of the building on the left hand; he and his men were then unmasked and exposed to view, and another volley of small arms were discharged at us. Did not immediately perceive that the mayor was wounded. Witness's men began firing from the windows as soon as the shutters were opened. The mob had effected an entrance by means of the hall. The firing continued about half a minute from the window, and the doorway communicating with the passage of the house was secured, until the rush had subsided, and the special constables had got away from the mob. The special constables went into the court-yard. The door of the room where his men were was thrown open, and his soldiers fired into the passage, in which those who had effected an entrance were passing backwards and forwards with arms. One of the mob there was killed, and his body was stretched across the passage.

The whole affair occupied less than ten minutes; the streets were soon cleared of all dangerous objects, but the attack in the inner building continued to the last, and whenever the smoke cleared away the mob attempted to force their position. This was after the firing in the street had terminated. The mob attempted to rush up the doorway of the room where the soldiers were placed, but they always faltered when they encountered their own dead, and received the fire of the soldiers. The passage was cleared of all but the dead and wounded in ten minutes. Witness then gave orders to spare their ammunition. When the dangerous part of the mob had dispersed, we found nine dead bodies.

In reply to a question put by the court at the request of one of the jury, witness stated, that the assailants fired upon the soldiers *after* the latter were "unmasked," by throwing down the shutters of the inn windows; and he accounted for the small effect of their fire by the fact, that "a large number of the mob shot *over* the windows."

The next witness examined was Mr. Barnabas Brough, the Pontypool brewer; who, with his friend, Mr. Thomas Matthews, carrier of Pontypool, were stopped by a body of armed men, on the night of Sunday the 3rd of November, and carried to the Welch Oak, an inn about a mile from Risca, where they were detained till Frost came. Frost, being appealed to by Brough, who knew him well, immediately ordered them to be released, saying, that "though he detested his politics, he had a personal regard" for Brough.

Mr. Matthews, another witness, confirmed Brough's testimony, with an additional fact.

We were going to Pontypool. In the course of our journey we were interrupted and were kept by restraint until six o'clock or half-

past six o'clock in the morning. During the night we observed two or three lights—a kind of rockets. They were between Newport and Risca. We were then about the end of a lane going from the toll-house to Risca. We were guarded by the men with arms. We were at the Welch Oak public house in the morning, having been kept in custody till then. We asked Mr. Frost if he would liberate us. Mr. Frost said "I detest your politics, but you are discharged," and we then walked on.

The next witness, John Harford, a collier, said, that he was dragged out of his house on the Sunday afternoon, and compelled to bring a sword which he had in the house with him. He saw Frost on the road between Cefn and the Welch Oak. He was standing alone, with his hands in his great-coat pockets.

When they met Mr. Frost, the mob asked him if they had not better return? He said "No, you had better not return." They asked Mr. Frost what he did intend to do? He said at first he should go to the new poor-house, and take the soldiers and their arms; and he said there was a storehouse where there was plenty of powder, and that they would blow up the bridge; that would stop the Welch mail which did run to the north, and that would be tidings, and they would commence in the north on the Monday night; and he said "that he should be able to see two or three of his friends or enemies in Newport." He said no more. Mr. Frost and the mob then went on towards the Welch Oak. I don't know how long they remained there. I made my escape about two hundred yards from the Welch Oak, and went into a low shed. It was between three and four o'clock when I first saw Mr. Frost, and it could not have been more than a quarter past four o'clock when I last saw him. I was examined before the magistrates at Newport, but cannot say on what day of the month. I was at the union workhouse, because I was forced out of the house with a sword by Mr. Frost and the mob. I was apprehended by the magistrates the same Sunday fortnight, after the riots in my own house. I was taken to the George inn, at Blackwood, and remained there till the evening, but was not examined there. In the evening I was taken to Newport to the union. I have not remained in custody ever since; and was not locked up there. I was taken there for that purpose, after having been detained thirteen days. I was obliged to take a part in the riot, or it would have cost me my life. I had learned that some had gone to prison on a charge of riot, and some on a charge of high treason. I did not know that if any persons were convicted they would suffer death, I did not understand the law. I did not know that a person convicted of high treason would suffer death. I did not tell any one but the master of the workhouse what I said against Mr. Frost. He was arrested before I was taken before the magistrates. When I told the master what I had to say, there were other men beside myself at the workhouse. What charge they were on I do not know. I did not ask them, certainly. They were on some charge. The place was not guarded by soldiers. There were soldiers there who were wounded. There were soldiers there besides the wounded and recruits. They were there learning their exercise; every morning they were on parade, or

whatever you call it. I know nothing about the workhouse having been made a place of confinement or not before this business. I talked to one of the persons there about this business during the twelve days I remained there. I do not remember the man's name. I did not tell him what I had done in the business. I did not talk about Mr. Frost to him. He told me that if he knew anything about Mr. Frost, he would tell it if he was in my place. Upon my oath I did not tell him about Mr. Frost, in order that I might get my liberty. I expected to be freed from the charge when I told it; and when I had given the evidence, I did get my liberty. I cannot write. I did put my mark to something when I was examined before the magistrates. I was not examined more than once. When I had made my statement I was at once set at liberty. I have since been at work, as a collier, at Mr. Jones's, the same master as I worked for before. The name of the person to whom I spoke about Mr. Frost at the workhouse was not Edwards. I know no person of the name of Morgan to whom I have spoken about this business. I have not spoken to any one of that name about it. It was about four o'clock in the morning when I saw Mr. Frost, and it was within a quarter of an hour after that when he told the mob, in my presence, about the powder, and the soldiers, and the post, and the other matters.

William Harris, a collier of Blackwood. Saw Mr. Frost at the Coach and Horses inn, at about seven o'clock on the Sunday evening—

There were a good many persons about the door. Some of them were armed. There were every kind of arms there—pikes and every thing. I saw a person of the name of Davies close to Mr. Frost. Davies told the people to go on, "That there was enough there to eat Newport." I went up the road after this.

He saw Frost again at the Welch Oak about eleven o'clock on Sunday night. There were many armed men marching towards Newport—

It was on the turnpike road across the tram road that he saw Zephaniah Williams. He saw Mr. Frost about forty yards from that spot. Mr. Williams spoke to him and told him to go on, and not to hang back there, but to go on with the rest, because he was going towards home. He then went on towards Newport, as far as the Friars. Every one was going on as fast as they could go. He did not go on to Newport, but turned back to the Friars, because he was afraid to go on. He thought they were going to kill people, as he had heard Mr. Frost call the guns forward. He said, "All that have guns come in front." The guns were tried ever so many times. It had been raining between the times when they were tried. Two or three of the men turned back with him, he went to the tram-road to get on the tram-engine to go back.

Mr. T. J. Phillips, clerk to the magistrates, mentioned the particulars of Frost's arrest at the house of Partridge, the printer, and, with his evidence, the case for the crown was closed.

The leading counsel for the prisoner (sir F. Pollock), then addressed the judges and jury in a speech whose delivery occupied five hours and a half. He argued that Frost's real offence, though very serious, did not amount to high

treason; that his object was not to overturn the government, but to procure the liberation of Vincent and other Chartist prisoners. The conduct of the prisoner at the Westgate hotel clearly proved that he had no intention to attack the military, for he disappeared on the firing of the first shot, and his followers also fled. There could be no doubt that the mob went to the Westgate hotel to procure the liberation of some stragglers who had been put in custody—for he could prove (and it was of importance to do so) that the words used by the rioters to the special constables there, were not "Surrender *yourselves* prisoners," but "Surrender *your* prisoners." With respect to Mr. Frost's designs, it did not follow they were treasonable, because he was a chartist. He (sir F. Pollock) hardly knew what chartism was, but he considered that the chartists of 1839 occupied the same position, in reference to the existing constitution, as was held by the reformers of 1832 with respect to the constitution existing at that time, which they assailed so vigorously; and he especially directed the jury's attention to the fact, that the persons who now prosecuted the chartists did not scruple, in 1832, to take advantage of alarming displays of physical force, of tumultuary assemblages, and an organized opposition to the law, in furtherance of the ends they had in view. What they now prosecuted as treasonable, they did not think treasonable then. In conclusion, he urged the jury to bear in mind, that if, on a review of all the circumstances, there should appear to be the slightest doubt whether the prisoner's offence amounted to high treason, then he would be entitled to the benefit of that doubt, and of an acquittal.

The examination of witnesses for the defence then commenced. Several persons stated that Frost uniformly counselled the people to respect the law, and behave peaceably; and also that the design of the mob who went to the Westgate hotel was to obtain the release of the prisoners confined there. They there said, "we want our prisoners."

Edward Patton, a carpenter of Newport, deposed as follows:—The parcel of people I saw in the morning of the riot, were armed; they had guns, sticks, &c.; the sticks had iron points. I did not see many with guns. I saw of this body two hundred or three hundred. There were not many more. I had a full view of those on Stowe Hill. I was a little bit alarmed, but not particularly so, but I wished to see what they would say and do. I was never at a chartist lodge. I did not know what they came to do. I was not at work that morning. I did not hear that they were to come down from the hills. I believe that a great number of them went to the gates from the hotel. I know the two bow-windows in front of the Westgate. I never saw anything done to the windows of the Westgate. I did not hear a crash of the windows. They were not very tumultuous. They drew up in front of the Westgate. I am certain they said that the prisoners were taken before daylight. It was about nine o'clock in the morning when they came down Stowe Hill. It was broad daylight two hours before that. Those that were in the Westgate were taken before daylight. The body of the mob stood for a space, and asked for the prisoners who were taken

before daylight, None of the mob went forward as spokesmen. They came close to the door. I could only see the steps, to which the mob came close up. The first moment or two they asked for the prisoner Smith; then a rush was made. Then I heard firing, and took to my heels. I cannot say whether the mob had guns, pikes, or clubs. I cannot tell whether they were armed for the biggest part. I heard some one say, in a very loud voice, "No, never." I was distant from the door of the Westgate twenty-five yards when I heard the words. I heard no groaning. I could not say where the firing began. No man could judge. You nor I could not tell. Saw no smoke outside. It is likely enough the firing began from the Westgate inn."

Mr. Edward Thomas, a draper, and Mr. William Townsend, an iron dealer in Newport, also spoke to Mr. Frost's character during the last twenty years. He was described as punctual in his payments, of "much benevolence and kindness in his feelings," and a most unlikely person to engage in any design of overthrowing the government. Mr. Thomas also mentioned particulars respecting the mode of forwarding letters to Bristol from Newport, in conformity with sir Frederick Pollock's statement.

Sir Benjamin Hall said, he had frequently been in communication with the prisoner, who assisted him in his canvas in 1834. He never knew anything of him but what was very good.

Mary Jones, who lived next door to James Hodge, stated that she saw him in bed in his own cottage at Blackwood, between eight and nine o'clock on the Monday morning—

I went for milk that morning; and after I had left it at home I turned in to Hodge's house, seeing the door open, and said to Mrs. Hodge—"Mary, did you hear the people going down," says I, "last night," and she showed me her husband, and said, "here's my old man, thank God." I did not see James Hodge that morning before I saw him in bed. I cannot say if his wife was up. I suppose she was in bed as well as I was. Nobody was living in my house but myself and my daughter.

Henry Williams, an ironmonger in Newport, and a special constable at the Westgate hotel on the 4th November, was called to prove that the men who first came up to that inn said, "Surrender up your prisoners." To this he deposed, as the following evidence elicited from him, will show.

I had the honour of acting as the mayor's aid-de-camp very early in the morning. I saw the mob about two miles or two miles and a half off. I went then up Pye-corner, which is beyond Tredegar-park. I saw a great number armed in various ways, with pikes, guns, and mandrils. I saw one party which was between four hundred and five hundred in number. When I saw the mob a second time, they were about a mile from Newport. They were then halting and cheering. As soon as I saw the body, I returned to the mayor and told him what I had seen. They were then near the machine. I did not observe whether they divided. When I returned the second time, I was stationed at the Westgate door. I remained there until the mob came down to the Westgate hotel. They passed the front door and went towards the gates, and then they returned. They were led by the man who spoke to me,

and who said "Surrender up your prisoners." He had an axe upon a pole. I received two stabs in the body, a wound in the leg, and a gun-shot in the head. I received these wounds from the Chartists when I was standing at the door acting as a special constable. The mob tried to get in at the door, and I and other special constables tried to prevent them; and we were wounded while thus preventing them. I heard no groaning for the special constables. I am convinced there was no groaning. I fell senseless after being shot. It was in the lobby where I had been wounded. At that time a great many shots had been fired from the insurgents. I was three or four feet inside the door when I was shot. I saw Oliver and O'Dwyer there, acting as special constables. I saw the Chartists thrusting at us with their pikes, breaking the windows, and doing every damage they possibly could. Did not recover my senses until after the insurgents had retreated. The lobby was full of insurgents, and I was left alone. The rest of the special constables were driven in. Those of the mob who were in the lobby had pikes and guns. I am not sure that any of them were in the passage where the soldiers were stationed, but I think they were. I did not see the constables make any attack, or attempt to seize a pike. We were on the defensive. The mayor had positively ordered that we should not attack. The struggle was going on about two minutes before I was shot. I did not see the front-door shut at all. I do not know how many special constables there were. I suppose there were a hundred altogether. I think there must have been twenty in the lobby. The special constables had no other weapons than a constable's club. Before I was shot, I saw the guns pointed and the firing come from the street and street-door. The shots were directed against the special constables. There were eight or ten shots fired. The special constables did all they could to guard the Westgate, and were driven in by an armed body. I saw the soldiers arrive from the barracks. I saw the soldiers come round the corner, as if from Stowe Hill. That would be the natural course from the barracks. There were numbers going about at the time, who must have seen the soldiers coming down Stowe Hill. There was not a quarter of a minute between the man speaking to me and the first shot being fired.

Lord Granville Somerset, M.P. for Monmouthshire, gave evidence that, during the reform struggle in 1832, Frost endeavoured to protect the Tory candidates from the violence of a mob. The misdelivery of a letter alone prevented the duke of Beaufort from being present at the trial.

This closed the evidence for the defence.

Mr. Fitzroy Kelly then addressed the jury in a most able and luminous speech in defence of the prisoner, at the conclusion of which, chief justice Tindal asked the prisoner, whether he wished to say any thing in addition to the arguments of his counsel?

Frost, who then for the first time appeared to lose somewhat of his previous resolution, said, "My lord, I am so well satisfied with what my counsel have said, that I decline saying any thing in addition"

The solicitor-general followed on the side of the prosecution. A considerable part of his speech was

devoted to the purpose of establishing a connexion between Frost's acts and those of Zephaniah Williams and other leaders in the insurrection, in order to satisfy the jury that it was not a sudden or isolated movement for the mere purpose of releasing the Newport prisoners, but a preconcerted scheme to subvert the queen's government throughout the country —though if the design extended to the deposition of the lawful authorities in Newport only, it was treasonable. He maintained the credibility of the statements that Frost and his associates really intended to stop the mails, and the traffic of Newport, and to produce a general insurrection; and argued, that the assembling of men in large numbers, from many and distant quarters, the seizure of arms, the compulsory enlistment of the colliers, the proving of the guns during the march, and the attack upon the Westgate inn were facts altogether subversive of the theory set up by the prisoner's counsel, that he meant only a peaceable demonstration in behalf of Vincent and the Chartist prisoners. Frost knew there were soldiers in Newport, and he must have gone there with the foreknowledge that his armed followers would come into collision with them. In fact, they were armed and expecting a fight. With respect to Mr. Frost's character, let all that had been said for him weigh in his favour; but he could not discover any very extraordinary degree of humanity in marching an armed body of reckless men into a peaceable town, in the dead of night—for such was the design—with no power to prevent outrages, or even to protect his own wife and five daughters. He fully admitted that Frost's papers contained nothing treasonable — the prisoner took especial care, it would appear, of his papers. The prisoner could only be convicted upon clear testimony; and his object was not to convict, but to obtain a verdict, whatever that might be, consistent with the facts and the evidence.

Chief justice Tindal in charging the jury, explained the law of treason, and directed particular attention to the following dictum of sir Matthew Hale:—

"If men levy war to break prisons, to deliver one or more particular persons out of prisons, wherever they are lawfully imprisoned, unless such are imprisoned for treason; this, upon advice of the judges upon a special verdict found at the Old Bailey, was ruled not to be high treason, but only a great riot (1668); but if it were to break prisons or deliver persons generally out of prisons, this is treason."

He thought that the rule of law might be explained in a few words—

"There must be an insurrection —there must be an armed force accompanying it, and there must be an object of a general and public nature, and if all these occur in one instance, it is sufficient to constitute the levying of war under the statute; and the question for you to determine will be, whether, when the facts are more fresh within your knowledge, whether the acts reported to have been done by the prisoner amount to the levying of war in the sense I have explained; or whether they amount to no more than a grievous misdemeanour. For although they may have been attended with great danger to the country and to the public peace, still they may not

amount to the offence of high treason, but only to a grievous misdemeanour."

Having recapitulated the principal facts stated by witnesses, the judge put it to the jury to decide whether "the prisoner had levied war against the queen in her realm."

That there was very great violence, that there was an attack made upon the town of Newport, and that a conflict was carried on at the Westgate, is placed beyond all doubt. It is proved that a very large body of men came into the town at an unusual hour; and that they came from different points are matters not disputed. Acts were done which you are to judge of. If their intention was to carry on a rebellion, or by a display of that which is called "moral force," but by means of which no mischief was intended, it was still expected that the magistrates would be induced either to release Vincent, or to treat him more favourably than hitherto he had been treated, if these things were done with a general design, then was high treason committed; but if it were for the other object, it would be punished, and very severely punished, by the law, but not with that extremity of punishment which treason incurred.

It was not necessary for the prisoner to show that his design was to release Vincent and other prisoners, but it lay with the crown to prove that his acts amounted to high treason.

The jury retired for half an hour, and then brought in a verdict of "guilty," with a recommendation to mercy.

Shortly afterwards, Zephaniah Williams and William Jones, the principal accomplices of Frost, were put upon their trial, at the conclusion of which the same verdict was brought in against them.

Central Criminal Court.

Trial of Gould for the Murder of Mr. Templeman.

April 14. — At ten o'clock this morning, precisely, Mr. Justice Littledale, and Mr. Baron Alderson entered the court, and having taken their seats, the prisoner, Richard Gould, *alias* Arthur Nicholson, was ordered to be placed at the bar. He was immediately brought forward, and advanced to the front of the bar with a firm step and perfect self-possession. He is a clean, good looking young man, and wore a drab shooting jacket.

The prisoner was then charged with having, on the 17th of March last, in the parish of St. Mary's Islington, in and upon John Templeman, feloniously, wilfully, and with malice aforethought, made an assault; and that he, with a certain piece of wood, of the value of one penny, did inflict upon the said John Templeman divers mortal wounds, blows, strokes, and contusions on his head, face, and breast, of which mortal wounds, blows, strokes, and contusions, he then and there did die, and that he (the prisoner) was guilty of the said murder.

The counsel for the prosecution then proceeded to state the case to the jury; and, in doing so, he expressed his anxiety to place before them fairly and dispassionately the circumstances con-

nected with this most atrocious and mysterious murder. The only object which the prosecutors had in view, was to bring the guilt home to the guilty party and he was quite sure, that if the evidence which he proposed to bring forward distinctly pointed to the prisoner as the man, the jury would not hesitate to do their duty, however painful it might be; but if, on the other hand, they should see reasonable ground for believing that the prisoner was not guilty of the atrocious act imputed to him, they would at once acquit him of the charge? The unfortunate deceased was an old gentleman; was, in the early part of his life a robust athletic man, but latterly his frame was debilitated by illness. He inhabited a cottage in a place called Pocock's-fields, near the Holloway-road, in the parish of Islington; and, although several cottages were scattered around, the spot was nevertheless exceedingly lonely. The deceased slept and lived by himself, but a woman who lived close by, was in the habit of occasionally attending upon him, to go of his errands, and perform the duties of a domestic in his cottage. A man named Jarvis and his wife lived in another cottage close by, and another was occupied by a person named Thornton and his family. The deceased had the reputation amongst his neighbours of being a man of property; and, unfortunately for him he appeared to have encouraged the notion. The learned gentleman then proceeded at great length to narrate the facts connected with the murder of the deceased; the manner in which it was discovered, the finding of the body; the state in which the cottage was found; and finally, the suspicious circumstances which led to the apprehension of the prisoner in the house where he lodged on the night after the murder. Witnesses were then called in support of the case for the prosecution:—

Elizabeth Thornton sworn:—I live with my mother in a cottage in Pocock's-fields, Islington. I am a single woman. The cottage in which the deceased lived is facing ours. I remember the morning of Tuesday, the 17th of March last. I went to Mr. Templeman's cottage on that morning at half-past eight, by direction of my mother with two sheets of writing paper. I knocked at the door, but received no answer. The deceased slept in a room the farthest from the door. There is a window to the bed-room, which was closed. I then went to the sitting-room window, and looked in. The bed-room window had a curtain, but I could not see over it. I then went to my mother, and told her what I had seen.

Mary Thornton. — I am the mother of the last witness. In consequence of what she told me I went to the cottage of the deceased, and knocked at the door, but no answer was returned. I went to the bed-room window, and looking over the curtain I saw the bed. No one was in it. I then saw the deceased on the floor. His feet were towards the fire place and his head towards the parlour door. I found the sitting-room window open. I had been in the habit of washing for the deceased and fetching his errands. The parlour-window had been broken for some time. I observed a hole near the button which fastened the window. I had been to the house of the deceased at a

quarter before six on the previous evening, and left in about ten minutes. The deceased usually went to bed at six o'clock. I have known the prisoner four or five months. He had been a potman at the Barnsbury Castle. He used to serve the deceased with beer. I know Jarvis and his wife. They lived in one of the cottages close to that of the deceased. I have seen the prisoner go to Jarvis's. I saw him there a fortnight before the 17th of March. I saw Mrs. Jarvis at her own door with her child the day before the murder. The deceased showed me some money in a little mahogany box on the Monday evening.

Francis Capriani. — The last witness is my mother-in-law. I live with her. I am a night watchman at Sadler's-wells Theatre, and was in the habit of working for the deceased in his garden. I received 7*s*. from the deceased on the evening of the 16th of March, at about half-past four. On that evening I saw Mrs. Jarvis talking to the deceased.

I was taken up on this charge, but I accounted for my time, and was discharged by the magistrate. I used to garden for the deceased. He usually sat in the parlour.

William Kerr.—I am a constable of the M division of police. On the morning of the 17th of March I received information of this murder, and went to the cottage of the deceased in company with two serjeants. We found the door fastened inside. I went in through the window of the sitting-room and opened the door, which was single locked. The key was in the door. I saw the body of the deceased lying on the floor. There are two rooms in the house, and only a front door. There are no back windows. There are no means of getting out at the back of the cottage. A wooden partition separates the two rooms. The body was lying close to the bed, with the feet towards the fireplace. He was lying on his back, with his hands tied in front with a cord, and a smaller cord round that. There was a stocking tied behind over his eyes. I found another stocking on the floor. I found some of the clothes of the deceased on the sofa in the sitting-room. The body had a shirt on. The legs were not tied. There was a chest of drawers in the sitting-room. The two top drawers were forced open, apparently with a chisel. I saw a square box in one of the drawers. It was open and empty. I picked a tooth up from the floor. There was a pool of blood close to the head of the deceased, and the pillow was bloody.

Mr. Edward Roe.—I am a surgeon. I accompanied the policeman and Mr. Land, another surgeon, to the cottage of the deceased on the Tuesday morning. The witness described the situation in which he found the body. The eyes were bandaged with a stocking, and I think that it had been saturated with blood from the floor when the deceased fell. I have no doubt but he must have struggled after his hands were tied. The wrists were galled and the hands were blue. I observed the mark of a severe blow over the left temple. There was a cut on the nose, and the lower jaw was fractured on both sides. There were four cuts on the back of the head, and the face was also cut. The knees were very much abraded, as if the deceased had struggled very much. Most prob-

ably the blow on the temple was inflicted with a blunt round instrument like a policeman's staff. The jaws might have been fractured by similar means. I don't think that the cut on the nose was inflicted with a sharp instrument, but the cuts on the back of the head were inflicted by a chisel, or some such weapon. I found two teeth, one on the pillow, and the other on the floor. I also found a piece of stick about two inches long, with hair attached to it like that of the deceased. The stick was covered with blood. The cut on the nose might have been inflicted with the heel of a shoe or boot. There was some warmth in the body about the region of the heart, but all the rest was cold. I saw quite enough to account for the death of the deceased. The stocking round the head was tied in a knot.

Sergeant Collins of the M division of police.—I went to the cottage of the deceased with the other witnesses. I produced the piece of wood with the hair and blood upon it. It is red Sanders wood according to the evidence of a person named Turner. I took possession of the box produced. It was unlocked when I found it, and the key was in the trousers' pocket of the deceased, in which I also found a purse with three sixpences. I found two notes of the bank of elegance in one of the drawers. The papers were tumbled about. I found a hammer and a chopper behind the door of the sitting room, and another hammer in a cupboard on some coals. They did not appear to have been used. I also found two clock weights, but they were attached to the clock. Four persons have been taken upon this charge: Jarvis and his wife, Capriani, and the prisoner. I know Pocock's-fields well. They are distant about a mile from the Angel at Islington.

Joseph Musto.—I am a butcher, and live at the back of the deceased's cottage. I know the prisoner, and have seen him carry out beer to the cottages. The deceased has showed me money several times. He appeared fond of showing his money, and paid me small sums occasionally. He showed me the two notes on the bank of elegance a short time before his death. One of the notes was marked 50*l.* and he held it so as I could see the amount. I keep a dog. It was not friendly to strangers, but would not bark at those he knew.

Henry Wright.—I am potman at the Duchess of Kent public-house, Deverell-street, Dover-road, about four miles from Pocock's-fields. I knew the prisoner for seven or eight months. I saw him on Thursday, the 12th of March last. He came to the Duchess of Kent at about half-past seven in the evening. He called for half a pint of porter, and threw down a penny, saying he had no more money. I brought him a pint of beer, but did not take the penny. After I had been out some time, I saw the prisoner talking to a young man named Richard Squires. We then had some porter, after which we walked up the street together. The prisoner then said, that he had been ill, and want of money would make him worse. He then said, he knew an old man who had money, and who had offered 25*l.* for a cottage. I asked him how he knew the old man had money. He said he saw him "flash" a

50*l.* note, but he knew he had more—that he put the money in a drawer, and he (prisoner) knew where to put his hand upon it, but he should like to have a "right one" with him, adding, "or I could do it myself." I asked him where the old gentleman lived. He answered, "Oh, not far from home." He said nothing more about the old gentleman's money.

John Richard Jobson.—I live at No. 7, Dorset-street, Spitalfields, and am a print colourer. I have known the prisoner between four and five years. I remember seeing him on Friday evening, the 13th of last March, about half-past 7 o'clock. He came to inquire for "Jem." I knew the prisoner by the name of Arthur Nicholson, I said to him, "Dick, how do you get on?" and asked him what he wanted Jem for. He said he wanted to borrow a "screw." I asked him what for. He replied he was going to serve out an old gentleman in a lonely cottage. I said, "You had better not, you may get transported." He replied, he might as well be transported for that as for deserting. There was a fight at the end of the street, and we both went to see it, after which I bid him good night. He said, "You had better not go, as I want to see Jem very particularly about a 'darkey' left with him some time ago." I directed him to the public-house over the way. He said he would not go there as he had no money. He then said, he was going to see his aunt on Sunday, and that he would let me know when he had robbed the old gentleman. I have read in *Bell's Life in London* and *Tom and Jerry*, that a "screw" means a picklock key, and that a "darkey" means a dark lantern. I then wished him good night, and I subsequently read an account of the murder in the newspapers, upon which I gave information to a constable of the A division, I subsequently went to Hatton-garden, and there pointed out the prisoner, and gave evidence against him.

James Rogers.—I reside at No. 7, Dorset-street, Spitalfields, and am by trade an umbrella maker, but I get my living at the water-side. I have known the prisoner for five or six years. I saw him between eight and nine o'clock on the evening of the 13th of March standing at the door of the house I live in. He said, "Jem, you are the man I want to see, I want you to lend me a couple of 'screws' and a 'darkey.'" I then answered, "You might as well ask me for 500*l.* as such things as those." My brother-in-law was with me, but I do not think he heard what passed. I said I would treat him to some beer, but I had no money, and the prisoner said that he had none. We subsequently went to a public-house, and had a pot of beer which my brother-in-law paid for.

Charles Allen.—I live at Wilson's cottage, Pocock's-fields, and am a boot and shoe-maker. I know the house in which the deceased lived. It lies between 300 and 500 yards from where I lived. I know the prisoner. He lodged with me several times, and slept at my house seven nights before this occurrence. I am confident from circumstances that occurred, that he had no money up to the 16th of March. On the Saturday night he said, he had no money, but that he would have some on the following day. On the follow-

ing Monday morning he went out without having breakfasted. I am not positive whether he had the coat he now wears, or a jacket on. He wore a pair of shoes which I had made, but they misfitted, and I sold them to him. I saw him nailing them about a fortnight before. They would have lasted a much longer time than a fortnight. I saw him again as near as I can guess on Tuesday morning about two o'clock. I was in bed with my wife at the time, and as he came in, my wife said, "Richard, it is early" or "late," I am not sure which she said. The prisoner said "it is early." He then went to his bed. I got up at six o'clock, and the prisoner was out of bed between seven and eight. I saw him go to the wash-house, where he remained for twenty minutes or half an hour. He had his coat and waistcoat on his arms, and after he left the wash-house he passed the room where I was sitting and went out. I observed that he had the shoes on which I made, and I saw that they were newly blackened. I never saw him use a candle in our house unless he asked for it, and then we supplied him with one. He returned home about seven o'clock on the evening of the same day. Before he returned I had heard of the murder. We had some conversation about it, and the prisoner said "it was a shocking thing," and asked me if he (deceased) could have done it. I said I did not think any man could bind his own eyes and tie his hands. My suspicion had previously been drawn to the prisoner, by observing a pair of new shoes on his feet. He said, that his cousin had bought a pair of shoes, which did not fit him, and he had jumped into them. He then asked me to go for a slice of bacon and a pot of beer, as he felt hungry. I said, "Richard, why not go yourself?" to which he answered, "You know I don't like to go out," meaning that an assault warrant was out against him. He gave me a shilling to pay for the things, and said, that he had been to his aunt and cousin, who had given him some money. After I had brought in the beer and bacon, we had another conversation about the murder, when the prisoner observed, that it was a shocking thing. He accounted for having been out late on the previous night, by saying he met with some friends who had detained him. He went to bed at nine o'clock, and, in consequence of a suspicion I entertained, I fastened his bedroom door, and he was apprehended by a police constable that night. While speaking about the murder the prisoner said, that if the Mosaic law was correct, he had broken all the commandments, for he had committed adultery several times, and had been frequently drunk. I never kept any money either in the wash-house or privy. Before I went for the bacon at the prisoner's request, I suspected him, and when I came back I found him in conversation with my wife. When I bolted the prisoner in, I said he should never come out by me. The prisoner might have heard me say so. His window looked into the garden. It was about two or three feet from the ground.

Mary Ann Allen.—I am the wife of the last witness. The prisoner lodged at our house. I know where Mr. Templeman lived. I remember this occurrence taking place. The prisoner was with us a whole week previous to it, but

had no money to pay for his lodging. He frequently told me he had no money. He came on a Saturday, and Mrs. Jarvis brought him his dinner—some eggs and bacon. On the Sunday before the murder he came home about one o'clock, and complained of being ill, having drank some beer on an empty stomach. He lay down until four or five o'clock. He came to the room where I was sitting, and asked me if I had anything to eat. I said no, and he then said he had taken a shilling when he was out, and sent my little boy for some tea and sugar, and after he had tea he went to bed. On the following morning (Monday), about eight o'clock, Mrs. Jarvis came and asked me if the prisoner was up, saying breakfast was waiting for him. He then got up and went out, and I saw no more of him that day. It was half-past two before he came home on the Tuesday morning, and hearing him come in, I said "Richard, it's morning." He replied, "Yes, it's early." It was very light from the moon at that time. The prisoner got up about half-past seven, and went through my room to the wash-house, and from thence to the privy. I went to the wash-house about ten minutes afterwards, and saw the prisoner standing at the table doing something, I could not see what, to the top part of his trousers. I don't think he was buttoning them. I then returned into the sitting-room, and the prisoner came in shortly after for a towel, and wiped his face with it. I did not see the prisoner go to the privy, but I heard the door creak. I cannot say how long he remained in the privy. When he went out he did not come home until a quarter past seven in the evening. I told him it was well he had come home so soon, as I would not leave the door open any more at night, in consequence of the robbery and murder that had taken place so near us. He said he had heard of it at the Rainbow. My husband then came in, and the conversation dropped. The prisoner then went from my room to the privy, and when he came back he said "I don't feel well, I suppose I am horror-struck like the rest." At his request my husband went for some beer, bacon, and tobacco, and while he was gone I observed to the prisoner that the murder was a shocking thing. He replied, "It is, but I know very little about it. I then asked him where he had been. He replied, that he had called upon his aunt, and had good luck, for the old woman had received him very kindly, and that his cousin had given him a pair of shoes which were too big for him. I asked him where he had been overnight. He replied, "At the Rainbow," that he had come in with a pint and come out with a pint. I said, "You could not have been there at that time in the morning." He said he had been gossipping. He also spoke of his difficulties, and said that many poor fellows like him would rather be hung than transported. I saw a stocking in which some money was found in the privy, and on the Monday afternoon I saw a pair of stockings exactly like those which the prisoner wore, in his room. They did not belong to my husband. I believe those stockings to belong to the prisoner. He had two pairs of stockings, which I washed for him at Christmas, and I knew them because they were mismatched. I know the stocking in which the

money was found was one of those I had seen in Richard's room on the Monday. I am quite sure of it.

John Prinley.—I am landlord of the Rainbow public house, Liverpool-road. I remember seeing the prisoner in the skittle-ground on Monday the 16th of March. He afterwards came into the tap-room and remained there until a quarter before twelve o'clock, when he left, in company with four or five other persons. On the following day (Tuesday) I saw him again at my house during the day. The last time I noticed him was at seven in the evening.

Robert King.—I am a sweep. I saw the prisoner playing at skittles at the Rainbow on the Monday. He said he had but three halfpence, but he afterwards played for a pot of beer which he won.

Robert Pizey corroborated the last witness, and said, that the prisoner gave him two halfpence to buy a rushlight, which he accordingly procured for him.

Mary Elizabeth King also proved that the prisoner was in the skittle-ground until nearly twelve o'clock on the night of Monday. He wore a shooting jacket similar to the one he now has on. I saw something sticking out of his pocket. It appeared to be the length of the pocket, but it was covered, and could not be seen. The prisoner went away alone in the direction of Mr. Templeman's cottage, after we left the house.

James Miller.—I am an inspector of police, of the M. division. I apprehended the prisoner at Allen's cottage on Tuesday night, about half past eleven o'clock. I said, "Gould, Gould, get up and dress yourself." He appeared drowsy, and on getting out of bed he said, "Where is your warrant?" I said I did not require a warrant. He replied, "Then what do you want me for?" I said, "I suppose you have heard of the murder; I want you for that." He smiled, and said, "if I was as innocent of everything as I am of that I should not have much to fear. While he was picking up his clothes, I asked him what money he had. He replied, "Nine shillings," and upon searching his pockets, I found that sum to be correct. I found nine lucifer matches in his waistcoat pocket, and two pawnbroker's duplicates for a waistcoat and pair of trousers. At the station-house I took a new pair of boots from his feet, which he said he bought in Kent-street in the Borough. Upon asking him what he had done with his old shoes, he replied, that he threw them away. Upon examining his waistcoat, I found that it was stained with blood, and that part of it was burnt, and upon observing this circumstance to him, he said his clothes were often stained with blood. Upon examining the room in which he slept on the following day, I found the odd stocking now produced. It was dirty. The prisoner had on a pair of stockings, which appeared to be fellows, but I did not notice them very closely.

Cross-examined.—I knew that there was an assault warrant against the prisoner. The assault, I believe, arose out of a fight.

The witness here produced the rope and the smaller cord with which the hands of the deceased were tied. It was quite possible that one person might have done it.

Richard Bradshaw, a constable of the M. division. I went to Allen's cottage along with another

constable, and on a partition which divided the privy from the wash-house, he put his hand up and found a stocking with money in it.

Sergeant King, of the same division, produced the stocking, and described where he found it. He examined it, and found that it contained nineteen half-crowns, forty-eight shillings, and seven sixpences.

Cross-examined.—There was no marked shillings amongst the money.

Mrs. Allen was recalled, and shown the stocking in which the money was found. She said. This is the stocking which was outside the other when I saw them folded up in the prisoner's room on the Monday. I footed stockings like them, but I cannot swear that these stockings were footed by me. They are similar to the pair I had mismatched.

Cross-examined.—I believe Mrs. Jarvis used latterly to wash for the prisoner.

John Ellis, a painter, residing in Madrass-street, Holloway.—At nine o'clock on Tuesday, the 17th of March, I saw Mrs. Jarvis in the Holloway-road, and at two o'clock I saw her again in company with the prisoner. They were going towards the cottages. I told them of the murder of Mr. Templeman, upon which Mrs. Jarvis said to the prisoner, "Richard, you had better not go home with me now." He said, "Yes, I shall; I shall go and see what has happened." They then went together towards the cottages. Mrs. Jarvis had a child in her arms, both in the morning and afternoon.

Ralph Wilcox.—I am a shoemaker, residing in Tottenham-court-road. The half-boots or shoes produced bear my private marks "8" and "92," and I should think that they were bought in one of my shops. On the 7th of March, to the best of my recollection, between twelve and one o'clock, my daughter brought me half-a-sovereign in payment for a pair of shoes, and I gave her the change. The shoes came to 7*s.* 6*d.* It was between twelve and one o'clock, as far as I can judge. Gray's-inn-lane is about a mile from my house. I keep seven shops, and one of my workmen named Wright, who lives at the Marsh-gate, Lambeth, having set up in business for himself, uses my marks.

This was the case for the prosecution.

Mr. Chambers then addressed the jury on behalf of the prisoner.

After which Mr. Baron Alderson summed up the evidence, and left the case to the jury, observing, that if they believed the whole of the testimony given by the witnesses, they would find the prisoner guilty; but if the facts which appeared against him were in their opinion such as fairly to lead them to the conclusion that the prisoner was innocent, although surrounded by circumstances of suspicion—if the facts sworn to could in their judgment be accounted for on any other ground than that of his being a murderer they would say so by a verdict of acquittal. They had an awful responsibility on their hands, in deciding upon the fate of a fellow-creature, and most earnestly did he implore of God to direct them to a just and righteous verdict.

The jury, after a few minutes' consideration, found the prisoner *Not Guilty*.

The trial lasted from ten in the

morning until half-past eleven at night. The prisoner, who retained his self-possession and coolness to the last was engaged, while some of the witnesses were giving their evidence, in writing notes and forwarding them to his counsel.

The court was much crowded during the day; but, owing to the excellent arrangements made by the Sheriffs, the pressure was by no means inconvenient.

Re-committal of Richard Gould on the charge of Burglary on the 13th of May.—In consequence of a reward of 200*l.* having been offered for the apprehension of the murderer of Mr. Templeman, the police seem to have been put on the alert; and as it was ascertained that Richard Gould, who had been tried for the murder and acquitted, was on board a vessel at Gravesend, ready to sail for Sydney, a warrant to arrest him on a charge of robbing Templeman's premises was obtained. He was taken on board of the vessel, and brought before the Bow-street magistrates, on Saturday afternoon. A good deal of evidence, scarcely varying in any particular from that adduced on the trial for murder, was given to prove the prisoner's connexion with the robbery; and he was remanded till Wednesday.

Before obtaining the warrant for Gould's apprehension, sergeant Otway of the police went to Gravesend, and had some conversation with him about the murder on board of the vessel.

"I told him that the secretary of state was about to offer a reward of 200*l.* for the apprehension of the murderer of Mr. Templeman; and at the same time I produced a copy of the marquess of Normanby's letter authorising the reward. The prisoner read the letter attentively, and then said, 'No, I can't; I have made up my mind not to say any thing about it. I have told one person the whole affair, and will tell no more.' After remaining in deep thought for some time, he asked to see the letter again; and having read it over once more, he said, "I'll have nothing to do with it; but I'll tell you what I'll do: if they give me 100*l.* and pay me my passage-money, I'll give them the names of the parties concerned.' Otway asked, 'Will you give the name of the person who committed the murder?' The prisoner answered 'Yes, if they will give me 100*l.* and pay my passage, I will tell them who the person is that actually committed the deed.' The sergeant then told him that most likely he should see him again in the Downs, and he immediately started for town for further instructions, and received directions to apply at Bow-stre et for a warrant, which Mr. Jardine granted."

In the cell at Clerkenwell prison, Gould made what he called a confession to sergeant Otway.

"He said the robbery was planned between Jarvis, Mrs. Jarvis, and himself; that Jarvis and he went to the cottage of the deceased on the night of the murder, whilst Mrs. Jarvis kept watch outside; and having entered the premises through the front-window, they possessed themselves of the silver-money; and that Jarvis then murdered the deceased with a stick which he brought with him."

Jarvis and his wife were immediately apprehended, and brought to Bow street on Monday; but no evidence was produced against them; and they were discharged.

Gould's examination was resumed on Wednesday. The chief additional circumstance against him was the production of a dark lantern used on the night of the murder, which had been found in a pond near Templeman's house. Gould, who had conducted himself with much coolness and cleverly cross-examined the witnesses, betrayed some emotion when the lantern was produced. He was remanded till Tuesday next, and taken out of court; but brought back again by his own desire, to tell the magistrate that his "confession" was a mere fabrication, to obtain the reward and his own release.

He was eventually committed for trial on the charge of burglary in the house of Mr. Templeman.

Trial and Conviction of Richard Gould for Burglary.—Richard Gould, *alias* Arthur Nicholson, was then indicted for the burglary in the house of Mr. Templeman, for whose murder the prisoner had formerly been tried, and acquitted. The evidence against the prisoner was substantially the same as that adduced before the magistrates and at the trial for the murder. Gould preserved his steadiness of demeanour; cross-examined the witnesses with perfect self-possession; and when called upon for the defence, arranged his papers before him like a barrister, and spoke with much fluency; pointing out some discrepancies in the evidence, and trying to throw discredit on the witnesses. He dwelt for some time on the circumstances of his recapture, and complained of having been deluded by the false representations of sergeant Otway.

Sergeant Otway never came to him at the Compter; but when he had left that prison—when he was amongst strangers and did not wish to be known—the first day he was out of prison, and when the sergeant might suppose he had been drinking, at eleven o'clock at night, sergeant Otway came to him and took him entirely by surprise. He represented himself not as an officer, but as a gentleman from the secretary of state, and offered him 200*l*. if he would give any information that would lead to the conviction of the parties. What did he tell him? He told him honestly that he knew nothing about it, and that he had nothing to do with it. He told him so more than once; but sergeant Otway began to reason with him—that as he was a young man, about to quit the country, how serviceable 200*l*. would be to him, and that as he had gone through so much trouble about the matter, how foolish it would be of him not to make something by it, now that he could do so. And as sergeant Otway told him, that he could not be tried again, he acknowledged that he was influenced by what he said, and he did make up his mind to tell a lie for the sake of the reward.

This "lie" was the false accusation of murder against Jarvis.

The jury brought in a verdict of "Guilty," and baron Parke passed sentence.

Trial and Conviction of Corvoisier for the Murder of Lord W. Russell.

June 18. Long before the doors were opened, persons holding sheriffs' tickets of admission were in waiting to take their seats. Only a few of the privileged, however, were allowed to enter before nine

o'clock. By half-past nine the court was filled. Many persons of distinction appeared in places set apart for people of rank: among them were the duke of Sussex, the earl of Mansfield, lord Sheffield, the earl of Cavan, lord and lady Arthur Lennox, lady Granville Somerset, and the hon. Mr. Villiers. The judges were chief justice Tindal and baron Parke. The counsel for the crown, Mr. Adolphus, Mr. Bodkin, Mr. Chambers; for the prisoner, Mr. Charles Phillips and Mr. Clarkson.

François Benjamin Courvoisier being called upon, pleaded "Not Guilty," in a feeble tone; and preferred an English jury to one composed half of Englishmen and half of foreigners, to which he was entitled being an alien. He was dressed in black, very pale, but perfectly composed.

Mr. Adolphus opened the case for the prosecution. The report of his speech occupies four or five columns of the *Morning Chronicle's* broad sheet. He went into a minute, elaborate, and very able statement of all the circumstances connected with the murder: presenting a mass of circumstantial evidence against the prisoner, pausing frequently to remove any impression favourable to him, and suggesting a guilty motive for all that he said and did. There was no novelty in the learned gentleman's speech to those who have paid attention to the evidence on which Courvoisier was committed for trial. One part of that evidence, on which much stress had been laid, Mr. Adolphus made slight account of—the discovery of blood-stained gloves and linen in the prisoner's portmanteau. He said he was aware that an attempt would be made to show that Sarah Mansell was not a trustworthy witness; but he defied the prisoner's counsel to damage her character. He admitted, that the evidence for the prosecution was entirely circumstantial, but he contended that for that very reason it might be most safely relied upon; and he strongly urged upon the jury, that the circumstances demonstrated the impossibility that the murderer could be any other than Courvoisier.

The witnesses called on the first day were Sarah Mansell, the house-maid; Mary Hannell, the cook; William York, Lord William Russell's coachman; Emanuel Young, Mr. Latham's butler; Mr. Elsgood and Mr. Nursey, surgeons; Thomas Selway, servant at the house next door to Lord William's; and John Baldwin, a policeman. Sarah Mansell was severely cross-examined by Mr. Charles Phillips; but her testimony was not shaken. It was, however, distinctly elicited from her, that a ladder belonging to the house was placed in the yard; that it was the height of the wall of the back area, and would enable anybody to get over the wall into the yard of the next house; and that the prisoner had taken it out of the house into the yard by her desire on the night of the murder. She also said that a great many persons had tried chisels, screw-drivers, and pokers, at different places in the house since the murder.

Baldwin, the policeman, was not a very good witness for the prosecution; as his cross-examination by Mr. Phillips shows. This man had first said, that the area-door was forced open from without; afterwards he thought that was not the case.

"I am not liable, said he, to make mistakes intentionally. I know, that if a man does a thing intentionally, it is a misrepresentation and not a mistake. I did at first think that somebody had broken in, but afterwards I found that that was a mistake. I will swear I never saw the placard offering a reward, nor have I ever heard of it to this day. I have spoken to one or two policemen about this murder: but I have never spoken to any parties connected with the house. I will not swear that I have not spoken to twenty policemen about the murder; I might have spoken to twenty: I won't swear that I have not spoken to a hundred policemen about it; but I still persist in saying that I never heard of the reward. Something was read out in orders about a reward. I cannot say what the reward was offered for. I do not know what the sum of money was. I do not know whether it is a month ago, a fortnight ago, four days ago, or whether it was yesterday. I cannot tell any thing about it."

At the conclusion of Baldwin's cross-examination, the trial was adjourned.

On Friday morning the court was again crowded. Several policemen were examined. They described minutely the disordered state of the house, and the discovery of the property in the pantry.

The ten-pound note found in the pantry, and several articles secreted on the premises, were identified by different witnesses as lord William Russell's property; but attention was chiefly drawn to the statement of a new witness, Charlotte Piolane, an Englishwoman, wife of Louis Piolane, a Frenchman, who keeps a house of entertainment called L'Hotel de Dieppe, in Leicester-place, Leicester-square. Charlotte Piolane's testimony was as follows.

"I know the prisoner at the bar. I knew him about four years ago. He came to our hotel for a situation. He came to take a place in the hotel. I don't recollect that he gave me his name, nor did I know it. We used to call him John in the hotel. French is generally spoken in our hotel, and we called him Jean. He lived with me as a servant for about a month or five weeks, not longer. I never saw him since that time till about six weeks ago. He came to me at the Hotel de Dieppe on Sunday morning. He merely asked me how I was, stayed a short time, and went away. When he came he knocked at the door; and I said, 'Come in,' and he walked in. I did not recognise him when he first came. As it had been some time since I saw him, I could not recal his features to memory. He said, 'Don't you remember me? I am Jean, who lived with you some time ago.' He stayed but a few moments, and went away. I asked him in the bar if he was in a situation; and he said, 'Yes,' and I said, 'I am very glad of it.' I saw him again on the Sunday week or fortnight afterwards, I cannot remember which. He merely came in and asked me how I was. It was in the evening, and he had a parcel in his hand—a paper parcel. He asked me to take care of it till the Tuesday following, and he would call for it. I said, 'Certainly, I will;' and he left it and went away. I put up the parcel in a closet. I

did not know at that time what the parcel contained. The parcel was tied up and sealed. He did not call for it on the Tuesday following, and I never saw him since until to-day. I heard once or twice of the murder of lord William Russell. The parcel had certainly been left with me before I heard of the murder. I put it into my closet and locked it up. I took it out of the closet for the first time yesterday morning. I kept it at the bottom of the cupboard. I was induced to take it out, in consequence of an account which my cousin, Joseph Viucent, read in a French newspaper, and showed to me. I communicated with my cousin, and with Mr. Gardine, for whom I sent: he lives in King-street, Soho, and is a chaser and modeller. I sent also for Mr. Cumming: he is a solicitor, I believe, and is a very intimate friend of ours. The parcel was opened in the presence of these persons. It was never opened before from the moment it came into my possession. (Mr. Cumming, who was subsequently examined, here produced the parcel, which was about eighteen inches long by six wide. The witness, by direction of counsel, opened the parcel.) It contains spoons and forks of silver, two pair of new stockings, a pair of gold—I don't know what they are (auricles for assisting the hearing), a pair of dirty socks, and an old flannel waistcoat and jacket. The jacket was wrapped round the other articles, and there is also some tow or yarn, which would have the effect of preventing the plate from being felt or rattling. When we discovered these things, Mr. Cumming immediately put it up again, having first put in an inventory which he took down on paper, and which we all signed. He then fastened it up and took it away. He brought it here, I believe. I did not look if there was any mark on the stockings. They are here.

Cross-examined by Mr. Phillips, the witness denied that there was any gambling in her house—not even a backgammon-board was kept; but there was a billiard-table. No gang of suspected persons, not one person had been taken out of her house by the police. It was much frequented, especially by foreigners. Everybody might come in or go out as they liked. She did not know that there were gambling-houses or lodging-houses in Leicester-square. Her husband was in France. She had scarcely said or heard any thing about the murder—did not recollect ever to have talked about it to her husband. She was occupied upstairs, and scarcely ever heard the conversation that went on in the house. They took in no English newspaper. To the question whether her "special occupations allowed her to converse with her husband on any topic during the three weeks after the murder," she replied, "I cannot say;" and Mr. Phillips requested the judge to take a note of that answer.

Louis Gardine and Joseph Vincent, the persons mentioned in Mrs. Piolane's evidence, confirmed her statement as to the delivery of the parcel by a person before the murder; but they could not identify the prisoner as the man. Mr. Molteno, a printseller in Pall Mall, identified the brown paper in which the spoons and forks were wrapped up, as the covering of a print sent from his shop, and he believed to

Lord William Russell. He knew it was sent from his shop; his own stamped label was on it; and he was in the habit of selling prints to Lord William.

Thomas Davis, formerly in the service of Mr. Webster, an optician, made a pair of gold auricles for Lord William, similar to those found in the parcel. John Ellis, his lordship's former valet, recollected that lord William wore such "ear-instruments." Lydia Banks, a washerwoman, identified the socks as Courvoisier's.

The evidence for the prosecution closed with the examination of these witnesses; and the court adjourned.

On Saturday, the 3rd and last day of trial, the judges took their seats in the morning soon after ten. The Duke of Sussex was not present, but the attendance of ladies of rank was more numerous than on the previous days. The prisoner was very pale and downcast when placed at the bar, but preserved composure of demeanour.

Mr. Charles Augustus Rivers, a sculptor, explained a model of the premises to the jury. Sarah Mansell was recalled, and stated that the prisoner did not leave the house in Norfolk-street from the time the murder was discovered till he was taken into custody.

Mr. Charles Phillips then addressed the court and jury for the prisoner. He commenced by declaring, that after twenty years' experience in criminal courts, he had seldom risen to address a jury under more painful or anxious sensations—

There were certain circumstances in this case revealed before the magistrates which had caused him much anxiety; and he left them to conjecture how much that anxiety must be increased by the production, without any notice whatever, of evidence by which the life of the unhappy man at the bar might be placed in the greatest peril. He said "might" because he did not consider even that additional proof, for reasons which he should state to them, by any means conclusive. He felt, that in the situation in which he stood, he should have their kindest sympathies; he should also have the sympathy of his associates. They were embarked together in a common cause; they had incurred together a common responsibility; the life of a fellow-creature was intrusted to their keeping; and so surely as they dealt with that life unjustly, so surely would they have to answer for it to the God who made them.

He had not merely the facts of the case to deal with, but the odious prejudices which the preliminary investigations must have engendered, filled him with apprehension—

The horrid nature of the crime itself, the rank of the deceased, the numerous connexions mourning their bereavement, the opinions promulgated before the prisoner could be heard, the fact that his case had not been left to the ordinary instruments of justice, but that speculation had been stimulated by the offer of a government reward, as if the grave knew any aristocracy—these things did fill him with apprehension. And when he looked around him on that crowded court, and saw the intensity of the public gaze, and almost heard the throb of popular indignation, and when he turned him to the dock where the wretched object of this outburst stood, alone amid

this multitude, far from his native land, far from the friends that loved and the associates that in his hour of danger would have crowded around him—a poor solitary, isolated, helpless foreigner—he did own that he should feel his spirits fainting fast within him, were it not for the anchor by which he held, an anchor that was centred in the breasts of the jury. He relied upon their integrity, upon their sense of justice; he participated in that generous reliance which the prisoner showed, when he refused all foreign interference, and trusted his life to a jury of Englishmen.

He thought the prisoner was right; he had no fear in appealing to such a tribunal. He knew that the case, whatever it was, would by such a tribunal, be fairly, fully, impartially heard, and justly decided. He should proceed, then, to consider the most extraordinary and unheard of circumstances of this case; and, having done so, he should submit that in such a case, wrapped up in clouds, in mystery, and darkness, there was not only nothing upon which they could safely convict the prisoner, but that here and there probabilities started up which might make them suspect that he had been made the victim of an unjust and depraved conspiracy.

He had great reason to complain of Mr. Adolphus's opening address, and the prejudice he endeavoured to raise against the prisoner by telling the jury that it was the common practice of foreigners to murder when they robbed—

Mr. Adolphus was a historian, and history ought to have taught him the character of Courvoisier's countrymen—ought to have taught him, that if there were in any corner of the world a nation free from crime, it was that Switzerland of which he was a native. Let the jury search their memories and see if they could recollect an instance of a Swiss murderer. They rob, he said, and murder when they rob. He believed that instances of robbery were very rare in that country—he was sure that instances of murder were still more rare. And yet a man who ought to have addressed the jury coolly and calmly, set out by insisting, that because the man at the bar was a foreigner, he was a murderer. He had the experience of five or six days in observing the manner in which the jury had attended to the cases; and he believed from his heart and soul that the attempt to excite a prejudice in their minds upon any such ground would be entirely frustrated. Let him beseech the jury—for that was the way to test the generosity of the expression—to imagine for one instant that they were in a court of criminal justice in Paris or Madrid, and saw an unhappy fellow-countryman arraigned on trial for his life—to imagine the advocate whose bounden duty it was to state the facts on which he founded his accusation calmly, dispassionately, and truly, rising and saying to the jury, "Gentlemen, this man comes from the country of Patch, and Greenacre, and Thurtell; and Englishmen murder when they rob." With what burning indignation would their souls be filled! Could they restrain their indignation at the attempt to make an individual the victim, not merely of others' crimes, but of a foul calumny upon his country?

Mr. Phillips then elaborately dissected the evidence of the witnesses; pointing out some discrepancies, taking advantage of every

piece of testimony which could raise a presumption of the prisoner's innocence, and artfully insinuating that he was the victim of a conspiracy among the policemen, anxious to divide the large reward of 450*l.* over Courvoisier's coffin. Much had been made of an expression which fell from the prisoner —"I wish I had old Billy's money, I would not be long in this country."

Yet it was not an unnatural wish for a foreigner to express, toiling for his daily sustenance, yet longing to revisit his fatherland, rugged though it be—"I wish I had the wealth of such an one, I would not be long away from my own country!" Ambition's vision, glory's bauble, wealth's reality, were all nothing as compared to his native land. Not all the enchantments of creation, not all the splendour of scenery, not all that gratification of any kind could produce, could make the Swiss forget his native land:—

"Dear is that shed to which his soul conforms,
And dear that hill which lifts him to the storms;
And, as a child by jarring sounds oppress'd,
Clings close and closer to its mother's breast,
So the loud torrent and the whirlwind's roar
But binds him to his native mountains more."

There never dropt from human lips a more innocent or natural expression, "I wish I had old Billy's money, I would soon be in my own country."

It was not a strong suspicion or a moral conviciton which would justify the jury in finding a man guilty of murder.

If, notwithstanding that suspicion, they felt bound to acquit the prisoner, he was still answerable to the laws of this country for the robbery, if guilty; and, even supposing him guilty of the murder—which, indeed, was known to Almighty God alone, and of which, for the sake of his eternal soul, Mr. Phillips hoped he was innocent—it was better far that in the dreadful solitude of exile he should, though not in the sight of man, yet before the presence of God, atone by a lingering repentance for the deed, than that he should now be sent in the dawning of his manhood to an ignominious death, in a case where the truth was not clear. And having now travelled through this case of mystery and darkness, his anxious task was done; that of the jury was about to begin. Might God direct their judgment! One of the attributes of the Almighty was that day given to them—the issue of life and death was in their hands. To them was given to restore this man once more to the enjoyments of existence and the dignity of freedom, or to consign him to an ignominious fate, and brand upon his grave a murderer's epitaph. His had been a painful and an awful task, but still more awful was their responsibility. To violate the living temple which the Lord had made—to quench the fire that his breath had given—was an awful and tremendous responsibility. The word once gone forth was irrevocable. Speak not that word lightly. Speak it not on suspicion, however strong, on moral conviction however cogent, on inference, doubt, orany thing but a clear, irresistible, bright, noonday certainty. He spoke to them in no spirit of hostile admonition; Heaven knew he did not. He spoke to them in

the spirit of a friend and fellow Christian; and in that spirit he told them, that if they pronounced the word lightly, its memory would never die within them. It would accompany them in their walks; it would follow them in their solitary retirements like a shadow; it would haunt them in their sleep and hover round their bed; it would take the shape of an accusing spirit, and confront and condemn them before the judgment seat of their God. So let them beware how they acted.

Some witnesses to character were called. Mr. Jennings, proprietor of the British hotel in Jermin-street, James Noble, waiter at the same inn, Jean Peton, servant of Lady Julia Lockwood, Jeanne Peton, his wife, and Lady Julia Lockwood, gave evidence that the prisoner was a modest, good-tempered, inoffensive man; he had lived in the service of Mr. Jennings and of Lady Julia Lockwood.

Chief Justice Tindal charged the jury. He placed before them all the material points of the evidence; parts of which were read by Baron Parke. He directed attention to the chief circumstances in favour of and against the prisoner; and was at pains to guard them from being misled by the counsel on either side. The evidence of Baldwin the policeman he considered unworthy of credit, on account of his prevarication; but Sarah Mansell ought to be believed. He remarked, that without the offer of reward, many crimes would remain undiscovered; but it was for the jury to consider how far the credibility of witnesses was affected by their expectation of reward. As to the conversation among the servants, he thought little stress ought to be laid upon what persons of that class said of their masters in their private talk. Evidence to character, he reminded the jury, was of great value in cases of doubt, but could not have so much weight where proofs of guilt were strong and decisive. He left it entirely with the jury to say whether in this case the facts proved put the guilt of the prisoner beyond doubt. If they had any hesitation, the prisoner ought to have the benefit of it.

The jury retired; deliberated for an hour and twenty-five minntes; and then returned with a verdict of "Guilty." The prisoner heard it unmoved. Chief justice Tindal prefaced the sentence of death with a brief and feeling address, interrupted by his own sobs; his utterance at times was quite choked. The prisoner looked very pale, but in other respects betrayed little emotion.

A full account of the state in which Lord William Russell was found on the morning after the murder will appear from the evidence before the coroner given *infra*.

Confession of Courvoisier.

The following is a copy of the confession made by Courvoisier, and sent to the Home-office from Newgate on Tuesday last:—

"Newgate, June 22, 1840.—On the Friday before the murder was committed I began two or three times not to like my place. I did not know what to do; I thought if I gave warning none of my friends would take notice of me again, and I thought by making it appear a kind of robbery he

would discharge me; and on the Saturday before, I took this plate to Leicester-place. I had a mind to rob the house on Monday, and after I had forced the door down stairs, I thought it was not right, and went to bed: nothing further happened on the Monday. On Tuesday night, when his lordship went to bed (he had been rather cross with me before about the carriage), he gave me two letters, one for the post, and told me, rather angrily, that he was obliged to write those letters in consequence of my forgetting the carriage: this was in the drawing-room, about eleven o'clock at night. I then went down stairs into the kitchen, and stood reading a book for some time. About twelve o'clock he rang the bell; I went up to him, and took the lamp out. After that I thought he had gone up stairs to his bed-room; and when he rang his bed-room bell I thought it was to warm his bed, and I took the warming-pan up, with coals in it, just as usual, and he began to grumble because I did not go up to see what he wanted instead of taking up the warming-pan. I told him he always used to ring the bell for the warming-pan, and that I thought it was for that purpose he had rung; and he said that I ought always to go to answer the bell first, to see what he wanted. He took off his clothes, and I came down stairs again with the warming-pan, and I waited there until about twenty minutes past twelve o'clock. He rang again for me to warm his bed. He told me, rather crossly, that I should take more notice of what I was doing, and what he was telling me, and pay him more attention.

"I did not answer at all, as I was very cross. I went down stairs, and put everything in the state it was found in in the morning. As I was in the dining-room with a light, he came down stairs to the water-closet; he had his wax-light; I was in the dining-room, but as he had his slippers on I did not hear him come down. He opened the dining-room door and saw me. I could not escape his sight. He was quite struck, and said, "What are you doing here? You have no good intentions in doing this; you must quit my service to-morrow morning, and I shall acquaint your friends with it." I made him no answer. He went to the water-closet, and I went out of the dining-room down stairs. He was about ten minutes in the water-closet, and I waited to see what he would do after he came out. While he was in the water-closet I put some of the things to rights again in the dining-room. When he left the water-closet he went into the dining-room, where he stayed about a minute or two. I was on the corner of the stairs that go from the dining-room to the kitchen. I watched him up-stairs. I stopped, perhaps, an hour in the kitchen, not knowing what I should do. As I was coming up stairs from the kitchen I thought it was all up with me; my character was gone, and I thought it was the only way I could cover my faults by murdering him. This was the first moment of any idea of the sort entering my head. I went into the dining-room and took a knife from the sideboard. I don't remember whether it was a carving knife or not. I then went up-stairs. I opened his bed-room door and heard him snoring in his sleep; there was a rushlight in his room burning at this time. I went near the bed by the side of

the window, and then I murdered him; he just moved his arm a little, and never spoke a word. I took a towel which was on the back of the chair, and wiped my hand and the knife; after that I took his key, and opened the Russian leather box, and put it in the state it was found in in the morning, and I took all the things that were found down stairs; the towel I put over his face; I took a purse, I also took a 10*l.* note from a note case, which I put in the purse, and I put them in a basket in the back scullery; the day after I thought it would be better to put it behind the skirting board. I had before I went to Richmond lost a shilling behind the skirting-board, so I thought that would be a good place to put it.

While at Richmond lord William's locket dropped from his coat while I was brushing it. I picked it up, and put it in my trousers' pocket, but had not the least idea of taking it. I intended to have returned it to his lordship while I dressed him in the morning. I put my hand in my pocket at that time, but found I had changed my trousers; this was on the morning we left Richmond for Camden-hill. I did not put the trousers on again while we were at Camden-hill? I did not recollect the trousers being different, and thought I had lost the locket. I then thought it best to say nothing about it. On the Friday morning I was looking at some of my old clothes, the policeman who had cut his chin was watching me, and in taking the trousers out of the drawer in the pantry the locket fell out of the pocket; it was wrapped up in a piece of brown paper; the policeman opened the paper, and looked at it, and said, "What's that?" I said to him it was a locket; but in the position in which I was I did not like to say that it was lord William's locket, as if I told the truth I should not be believed; the policeman then returned it to me, and I put it in my trousers' pocket. The watch and seal were in my jacket pocket, which I had on until the Friday morning, and then I undid the riband, and took the seal off; it was the day the sweeps were in the house, which was either the Thursday or Friday. Having the watch in my pocket the glass came out; I did not know what to do with it, as the police were watching me, so I took the watch from my pocket and put it in between the lining of my jacket and twisted the pocket until I smashed the glass; after that I dropt some of the pieces about the dining-room, and at different times put the large pieces in my mouth, and afterwards having broken them with my teeth, spat them in the fireplace. The watch I had by me until Friday morning; I then burned the riband, and put the watch under the lead in the sink. I kept the seal in my pocket until they came into the dining-room to show me the ring they had found behind the skirting-board. When I was called to go down to the pantry, I let the seal fall and put my foot upon it, and afterwards put it behind the water-pipe in the scullery, Beresford and Cronin, and two masons were there at the time taking the drain up, but did not see me do it. The watch, the seal, and the locket, together with two sovereigns, I had about me until the Friday, and if they had searched me they must have found them; but they did not do so until Friday, after I was taken into custody, in my bed-

room. The two sovereigns I afterwards (on the Friday, when I slipped the locket under the hearthstone) also slipped down near the wall under the flooring. There is no truth in saying I put anything in the ale or beer, for all that time I had no idea of committing the deed. I had scarcely had any beer all the week, and the ale that I had drunk that night, together with the wine, and some more I took after the cook went to bed, affected me. The gloves were never placed in the shirt by me, nor to my knowledge. When I left Mr. Fector's, I gave all my white gloves to the coachman. The handkerchiefs that were found in my portmanteau were never put there by me. They were in my drawer where I used to keep my dirty linen, or in my bag with my dirty linen in the pantry. If there is blood upon them, it must have been from my nose, as it sometimes bled. I know nothing whatever of the shirt front. I turned up my coat and shirt sleeve of my right hand when I committed the murder. I did not use the pillow at all.

After I had committed the murder, I undressed and went to bed as usual. I made the marks on the door on the outside, none of them from the inside, for the purpose of having it believed that thieves had broken in. I never made use of the chisel or the fire-irons. I placed the things about the house to give the appearance of robbery. It is not true that the bottom bolt was never used to secure the door; it was bolted that night. I took the jewellery after I had committed the deed. All the marks on the door were made from the outside on the Monday night, for I got out of the pantry window and broke in at the door, and while getting out of the pantry window made a little mark on the wall outside near the water-pipe, which the witness Young saw, and mentioned in his evidence. I went to bed about two o'clock. I burned nothing. I did not wash my hands or the knife in the bedit in his lordship's bed-room. Sarah Mansell knew nothing about it. Neither did the cook, nor any of the other servants. I am the only person who is at all guilty.

FRANCOIS BENJAMIN COURVOISIER.

Witnesses—T. FLOWER,
W. W. COPE.

June 22, 1840.

THE EXECUTION OF COURVOISIER.

JULY 6.—Before seven o'clock, several noblemen and gentlemen were admitted to the prison, through the gate leading to the new Central Criminal Court. Amongst them we observed lord Glentworth, lord Lowth, lord Arthur Paget, lord Fitzharris, and several members of the House of Commons.

At six o'clock, Mr. Carver, the spiritual adviser of Courvoisier, arrived, and Mr. Sheriff Wheelton and the Swiss minister a little before seven; they then went to the room in which Courvoisier was confined, and continued in prayer till half-past seven o'clock, when the sacrament was administered to the prisoner. Mr. Baup, the Swiss clergyman, who had frequently visited the prisoner, remained with him the whole time, and accompanied him to the scaffold. The conduct of the criminal was remarkable for firmness, particularly within the last three or four days. His mode of expressing himself

was uniformly—"Oh God! how could I have committed so dreadful a crime? It was madness. When I think of it I can't believe it.

He admitted a short time before his execution that he had contemplated self-destruction, but the vigilant superintendence under which he was kept ever since he was placed within the walls of Newgate, rendered it impracticable for him to carry his intended scheme into execution.

He was employed in writing till eleven o'clock on Sunday night, and at that hour he went to bed and slept soundly until half-past four. He wrote some sentences in several of the French and English books furnished him by the kindness of the ordinary, and handed a book to each of the sheriffs and both the clergymen, with a request that they might be kept in remembrance of him. A few minutes before the death-bell tolled he wrote on the back of a letter, which he put into the hands of sheriff Evans, the following words:—

"Francois Benjamin Courvoisier,
The 6th of July, 1840, the day of my Execution."

The time having arrived for proceeding to the scaffold, Mr. Cope, the governor, led the way, followed by the sheriff, the undersheriff, the two clergymen, and the murderer, who, upon arriving at the foot of the ladder, shook hands with the sheriffs, and ascended the platform.

The people were pressed together in the compactest mass, and we believe it to be a moderate calculation, when we state that 20,000 persons at least must have witnessed this memorable execution. So great, indeed, was the anxiety felt to procure a favourable station, that some hundreds of individuals had taken up their position in front of the debtors' door of the Old Bailey so soon as ten o'clock on Sunday night, cheerfully exposing themselves to the inconvenience of standing in the open air during the whole of the night, in order that their curiosity might be fully gratified in the morning. The windows of the neighbouring houses were all occupied by spectators, who, in most instances, paid a pretty high fee for their places, whilst others who had less money to spare, but more nerve, ascended to the roofs, and perched themselves in the most precarious situations. Among the crowd there was a considerable sprinkling of females and boys, and the number of men-servants present was remarkable, as evincing the fearful interest taken in the culprit's fate by the class to which he had belonged. At five minutes to eight o'clock the dismal sound of the prison bell struck upon the ear, and immediately the vast multitude uncovered. This was a moment of intense excitement; it was impossible to behold the mob, with their heads all bared, and their eyes all eagerly directed towards the gallows, without the deepest feeling of awe, and the spectacle thus exhibited was enough in itself to have struck terror to the heart of the miserable felon, whose ignominious fate rendered him the sole gaze of such an immense mass of human beings. At two minutes after eight o'clock, Courvoisier ascended the steps, and advanced without looking round to the centre of the platform, followed by the executioner, and the ordinary of the prison, the rev. Mr. Carver. On his appearance a few yells of execration escaped from a portion of the

crowd; but the general body of the people, great as must have been their abhorrence of his atrocious crime, remained silent spectators of the scene which was passing before their eyes. The prisoner's manner was marked by an extraordinary appearance of firmness. His step was steady and collected, and his movements free from the slightest agitation or indecision. His countenance indeed, was pale, and bore the trace of much dejection, but it was at the same time calm and unmoved. While the executioner was placing him on the drop, he slightly moved his hands (which were tied in front of him, and strongly clasped one within the other) up and down two or three times; and this was the only visible symptom of any emotion or mental anguish which the wretched man endured. His face was then covered with the cap, fitting so closely as not to conceal the outlines of his countenance, and the noose adjusted. During this operation he lifted up his head and raised his hands to his breast, as if in the action of fervent prayer. In a moment the fatal bolt was withdrawn, the drop fell, and in this attitude the murderer perished. He died without any violent struggle. In two minutes after he had fallen his legs were twice slightly convulsed, but no further motion was observable, excepting that his raised arms, gradually losing their vitality, sunk down from their own lifeless weight.

After hanging one hour, the body was cut down and removed within the prison.

Coroner's Inquest On Lord William Russell.

May 5.—A most painful sensation has been created in London by the murder of this aged and, highly-respected nobleman, who on Tuesday morning (May 5), found dead in his bed with his throat cut from ear to ear. The circumstances were detailed at a coroner's inquest held at the residence of the murdered nobleman in Norfolk-street, Park-lane. As usually happens on such occasions, a great many minute and unimportant facts were mentioned, and the same circumstances were stated by several witnesses; without following the order of the examination, nothing of consequence is omitted in the following account of it.

Lord William, who was in his 73rd year, rather infirm, and very deaf, lived alone in his house in Norfolk-street, his establishment consisting of two women servants and a Swiss valet. On Monday evening he dined at home, and retired to his bed-room at his usual hour, half-past ten. The two female servants went to bed at the same time, the valet (Courvoisier) sitting up till nearly twelve, when his master's bell summoned him, and he assisted lord William to undress, saw him get into bed, and by his lordship's desire lighted a candle, and gave him a book. There was nothing extraordinary in lord William's appearance or manner. The valet then went to bed. The doors and windows were all fastened. About a quarter before seven on Wednesday morning, Sarah Mansell, the housemaid got up; and she found the papers in her master's writing-room scattered about. His opera-glass, cloak, and some other articles of dress, were in the hall wrapped up as if ready to be carried off. The plate in the

pantry was all lying about, and some of it taken; so there was no doubt a robbery had been committed. She went up stairs and called the valet, who was almost dressed, having only his coat to put on. He ran down stairs, and said, "Some person has been robbing; for God's sake, go and see where his lordship is." They went into lord William's room, and found him lying on his back, his head nearly severed from his body, and the clothes soaked with his blood. The man ran for a policeman, who soon arrived; and he sent for a surgeon. This is the evidence of Mr. Elsgood, of Park-street, the first surgeon who saw the corpse—

"I did not attend deceased bebefore this morning, when I was sent for about half-past seven o'clock. I immediately went to the house and found him in bed, lying partially inclined on his right side. He was in his night-dress, and had been dead about three or four hours."

Coroner—"Do you think he had been dead seven hours?"

Witness—"No, not more than three or four. I examined the body, and found a wound extending from the shoulder on the left side down to the trachea. It was four or five inches deep, and about seven inches long, dividing the vessels and the trachea, which must have caused almost immediate death. It had been inflicted by some very sharp instrument, and must have been done from the left, I saw no other wound on the body."

By the jury—"I saw no wound on either of the thumbs. The edges of the wound were not jagged. There was a napkin over the face when I went in. There was a large quantity of blood in the bed and under the bed, which had soaked through. The pillow-corner was stained with blood. The carotid artery was wounded, and so was the jugular vein. The blood had not spurted out, as is sometimes the case. I saw no appearance of any contusion."

By the Coroner—"I have most carefully examined the body, and I saw no mark of a wound on the thumb."

The jury said they had noticed it on viewing the body: the ball of the thumb was nearly cut off.

The witness further said, he considered it impossible the deceased could have inflicted the wound himself, or afterwards have covered himself over with the cloth. It was a chamber-towel, and was placed over his face and head. "I examined the bed, and could find no razor or other instrument with which the wound could have been inflicted. Deceased wore a truss, which was removed. I never saw such an injury inflicted by a party on himself. Had the deceased inflicted the wound himself, I think his hands must have been covered with blood."

Mr. John Nursey, surgeon, of Cleveland-row was examined—

I observed that the ball of the right thumb was cut off, and hanging to it. I examined with the last witness the bed and the room, to find if there was any instrument with which the wound could have been inflicted; but could find none. I am quite satisfied that the deceased could not have committed the act himself; for three reasons —first, that he could not have placed the towel himself; secondly, from the extent of the wound; and

thirdly, from the very nature of the wound, which extended from the cervical vertebra to the shoulder.

The Coroner—"Can you account in any way for the cut of the thumb."

Witness—"I should say it was inflicted in his endeavours to prevent the action of the instrument by which his throat was cut."

The policeman minutely described the premises. There were appearances of an area-door being forced by a person trying to get out.

"I examined the door and found marks on it, as if it had been tried to be opened with some blunt instrument. It was difficult to say whether it had been forced from the inside or the outside. The door and the door-posts were marked. The catch of the bolt, was laid down inside of the house. The bottom bolt would not fasten at all. It appeared to be a very temporary fastening; I should think a good push would almost knock the bolt off it. I then looked round the walls in the area, and could not see the slightest mark of any person coming in that way. We examined the walls at the back of the stables in the yard; there was not the slightest scratch upon either of the walls, or marks of any kind."

The same man described the appearance of lord William's room.

"I requested the women-servants and the valet to accompany me up stairs, to show me where the body lay. We all went into the room, and found that the bed-curtains were half-drawn, and the shutters of the windows were closed. I opened the shutters. They pulled a towel over his face. I removed that, and pulled down the bed-clothes a little way, and found a great quantity of blood in the middle of the bed. It was running partly from a large gash in the throat, extending from ear to ear. I then asked the servants if a medical gentleman had been called in before my coming. They answered 'No.' I said 'Go fetch one immediately; the nearest.' On the bed I found the miniature of a lady, a small box, and a purse. There was no money in the box or purse. Shortly afterwards Mr. commissioner Mayne came, and requested the doctor to examine the body closer. He did so, and found that the thumb of the right hand was cut. A great quantity of property was in the room; five gold rings, and other property; some were not taken, some were. There were three gold-topped canes, and a quantity of silver-tops for different things; some of them belonged to the dressing-case. I had some conversation with the man-servant. I asked him to come on his way and assist me; and he fell back in his chair and said, 'This is a shocking job; I shall lose my place and lose my character.' I then examined every room in the house, and found, that the drawers in every room were partly drawn open, and papers disturbed. In the front parlour there were some silver articles, and some plated articles laid on the floor. In the entrance-hall, close behind the door, there was a large blue cloth cloak packed up nicely, and a small box lying on the top of it In a bundle close by, there was a silver dish-cover, an opera-glass gold mounted, a gold pencil-case, and a silver thimble. I asked the man-servant how he found the door? He said he had fastened it himself, by bolts and a chain, the night

before about twelve o'clock; and that he had found it in the morning on the latch, with the chain down and the bolts drawn. The lock was also open, and it was only fastened by the latch."

By a juryman—"The key was inside the door."

He had since searched the servant's room, and found in the valet's box a purse, a 5*l.* note, and six sovereigns."

By a juryman—"Is the bank-note marked in any way?"—

"Yes, it is, sir; marked on the back.

"I asked the valet where he got the note from? He said he gave five sovereigns to lord William Russell for it some time ago in change. There is one thing I have omitted. I asked if lord William Russell was not in the habit of having much money about him? He said he saw a 5*l.* note and a 10*l.* note in his possession yesterday, in its usual place in a box, or something of that kind close by the head of his bed. I said, 'Look if you can find it.' He did so, and said, 'No, it is gone; so is also his gold watch.' A writing-case in his bed-room was broken open at the back. The man seemed very much concerned all day about it, and kept running and drinking water."

The valet, François Benjamin Courvoisier, was examined; being cautioned against stating anything that might implicate himself. He stated, that on Tuesday night, Henry Carr, who had been coachman to Mr. Fector, where he also lived for two years; had taken tea with him; and that they left the house together about half-past six. He returned and brought beer for the cook's supper. He then fastened the doors, and did not leave the house again. The chisel found in his chest had been in his possession for two years; he used to cut wood with it at Dover.

The foreman of the jury, Mr. G. R. Dawson, said, that Mr. Fector had that morning given the valet an excellent character.

The coroner asked the jury, whether they wished the inquiry to be adjourned; but they preferred coming to an immediate verdict of "Wilful Murder against some person or persons unknown." The foreman observed, that by this course they were most likely to allay popular excitement, and throw discredit upon any false report of the cause of lord William Russell's death. [Mr. Dawson alluded to a rumour that the murdered nobleman had killed himself.]

On Thursday, Henry Carr was found, and closely questioned by a policeman. His account of his movements on Tuesday evening were not perfectly satisfactory: he said, that he had been at a raffle for a gun, at a public-house in Adams's Mews, from nine to eleven o'clock; but the landlady and others declared positively that he was not there. Carr was suffered to remain at large.

The policemen employed in searching the premises disovered two bank-notes for 10*l.* and 5*l*, supposed to have been those taken from lord William Russell's box, concealed behind the skirting-board of the butler's pantry. Some of the missing rings were found in the same place.

His lordship's chamber, it has already been stated, was the front room on the second floor. It has

three windows, and the bed was placed with the head to the north side of the room, between the door and windows. From the position of the bed, it was evident that any person, on opening the door of the room, could not see who was in the bed, or their condition, until they had passed the bed, and advanced to the side of the bedstead. On the right hand side of the bed was a small beaufet, on which was placed the box said to have contained the 10*l.* and 5*l.* notes spoken of by Courvoisier in his statement before the coroner, but which are missing. There were also some letter-cases, which, although they have been disturbed, have not been removed. On the opposite side of the room, in a recess between the fireplace and the window, was the dressing stand, on which there remained a quantity of valuable gold and silver articles, apparently of much greater value than those supposed to have been carried away; and in the corner next to the fireplace, in a small rack, were the gold-headed walking sticks of the noble deceased. Opposite to the foot of the bed, suspended against the wall, was a small mahogany box, in which were several razors, none of which, upon a careful examination, appeared to have the slightest stain upon them, or to have been used in the perpetration of the murder.

Subsequently, strong suspicion having fallen on the valet, Courvoisier, he was brought up before the Bow-street magistrates, and, after several examinations, was fully committed for trial, as above related, on the charge of wilful murder of lord William Russell.

Attempt at Assassination of the Queen.

June 10.—London was agitated on Wednesday night by the report of an attempt upon the life of the queen. A great variety of rumours, many of them contradictory, were immediately circulated in conversation, and in late editions of the evening papers. Some additional facts were stated on Thursday; and an investigation took place at the home-office, from which the public and the reporters for the daily press were excluded. We have therefore no official account of the affair, or any statement which can be relied upon in every particular; but of the principal facts there is no doubt, and the following narrative of the circumstances connected with the crime may be received as substantially correct.

At a quarter past six on Wednesday evening, the queen, accompanied by prince Albert, left Buckingham-palace, in a very low open phaeton, drawn by four bays, to take their customary drive in Hyde-park before dinner; colonel Buckley and sir Edward Bowater attending as equerries. It happened that the queen sat that evening on the left, not on the right side of her husband, where she usually sits; so that as they went up Constitution hill — the road leading from Buckingham-palace to Hyde-park corner—her majesty was next to the long brick wall on the left side of the road, instead of the open railing of the Green-park on the right. The carriage had proceeded a short distance up the road, when a young man, who had been standing with his back to

the Green-park fence, advanced to within a few yards of the carriage, and then deliberately fired, pointing towards the queen. The ball did not take effect; and her majesty rose from her seat, but was instantly pulled down by prince Albert. One account says, that she uttered a loud scream: this is contradicted; it seems true that she turned deadly pale, and appeared excessively alarmed, but made no exclamation. The postilions paused for an instant; but Prince Albert, in a loud voice, ordered them to drive on,—not, however, before the assassin saying, "I have got another," discharged a second pistol, pointed towards the carriage; which also, happily, proved harmless. The queen and prince went as far as Hyde-park corner, and then turned to the duchess of Kent's mansion in Belgrave-square; so that the queen's mother heard of the attempted assassination and the safety of her daughter at the same moment.

Meanwhile, the assassin remained near the spot from which he discharged the pistols, leaning composedly against the park fence with the weapons in his hand. Several persons laid hold of him; and he was conveyed by two policemen to the Gardener-lane Station-house.

After staying a short time with the duchess of Kent, in Belgrave-square, the queen and her husband proceeded to Hyde-park: where an immense concourse of persons of all ranks and both sexes had congregated. The reception of the royal pair was so enthusiastic as almost to overpower the self-possession of the queen; while prince Albert's countenance, alternately pale and crimson, betrayed the strength of his emotions. They soon returned to Buckingham-palace, attended by a vast number of the nobility and gentry, in carriages and on horseback. A multitude of persons, collected at the entrance to the palace, vehemently cheered the queen; who, though pale and agitated, kept repeatedly bowing and smiling in return. It is said, that on reaching her apartments, the queen found relief in a flood of tears, but she recovered herself so as to appear as usual at the dinner-table. Persons of distinction flocked to the palace to make inquiries; and to all the gratifying assurance was given, that no bad consequences to the queen's health were likely to ensue from the shock.

There were several witnesses to the act of firing the pistols; which the young man himself did not pretend to deny. He gave his real name to the policemen—Edward Oxford: it was ascertained that he had lodged at No. 6, West-street, West-square. Lambeth; and that his last employment was that of barman at a public-house, the Hog-in-the-Pound, Oxford-street, corner of South Molton-street. He is only seventeen or eighteen years old; about five feet four inches in height, slightly made, of a light complexion, and not unprepossessing countenance. The landlord of the public-house spoke well of him; but said he had discharged him a month ago, on account of a bad habit of laughing in customers' faces. It was also ascertained that he wa a native of Birmingham,—which town, however, he left eight or nine years ago: that his father was dead, but that his mother is alive, with two sisters; one married to a Mr. Phelps, a baker, with

whom he lived for some time. His father was a Mulatto, and a working-jeweller of Birmingham—a man of violent temper; which the son inherits; for on quarrelling with another young man, a barman like himself, at a public-house in Marylebone, he attempted to stab him with a knife. He had been for some time in the habit of carrying pistols, and had practised firing in a shooting-gallery. He told his mother that a gentleman named Spring offered to employ him at 1*s.* 5*d.* a day when he had learned to fire. He bought a pair of pistols at the shooting-gallery.

On Thursday Oxford was conveyed from the police station-house to the home-office, for examination. The number of persons at the home-office offering testimony to Mr. Fox Maule was very great. The under-secretary was literally besieged with entreaties from ladies and gentlemen to be allowed to state what they saw. The testimony, however, as we have mentioned, was not made public; as Mr. Maule observed, that to admit the reporters would be "contrary to all rule." The examination was conducted by lord Normanby, Mr. Maule, Mr. Mark Phillips, and Mr. Hall of Bow-street. The attorney-general, the lord chamberlain, and the comptroller of the household, were also present. The result of the examination was the prisoner's committal to Newgate, to be tried for high treason. He met his sister in a passage of the home-office, and she embraced him affectionately. It is said that, during his examination, he could not refrain from his habit of laughing. He was privately removed from the home-office, through a back-door leading into the park, and conveyed to Newgate, whilst the crowd outside, who were waiting to see him, thought he was still under examination. An uncle of the prisoner, a publican living in the neighbourhood of Grace-church-street, called at the home-office, and said, he wished to engage professional assistance for his nephew. Mr. Hobler was applied to; but he declined, having the prosecution of Gould and Courvoisier on his hands.

One of "the bullets"—at least a bullet—is reported to have been found by a boy on Thursday afternoon; buried in the earth just under a place in the wall which appeared to have been chipped by recent bullet-marks. It was flattened on one side, and marked with red streaks, as though it had been fired against a brick. The Standard last night denied that any bullet had been found. The police certainly found none, though hours were spent in carefully sifting the earth near the wall.

It is said that "several members of parliament actually applied to Mr. M'Cann, the surgeon, for a small portion of the lock of hair which he cut off Oxford's head; but they were disappointed of obtaining any, Mr. M'Cann having previously given it to several distinguished patients of his!"

It would be difficult to describe the state of loyal excitement into which the metropolis has been thrown by this event. At the different theatres, and at places where public dinners were held, as soon as the news transpired on Wednesday evening, "God save the queen," was sung with loyal fervour. It happened that a grand concert was held at the Opera-house for the benefit of the New

Musical Fund: it was to have terminated with Mozart's overture to Idomeneo, but sir George Smart, the conductor, stepped forward, and having informed the audience of the attempt on her majesty's life, proposed to substitute the national anthem; a proposal which, of course, was received with cordial unanimity.

On Thursday, when the queen and prince Albert again took their drive in the phaeton, the crowd in and about Hyde-park was immense, and the cheering of the loudest. They were escorted, as it were, by a body-guard of hundreds on horseback. The line of carriages calling at Buckingham-palace, extended a considerable way down the Mall.

June 12.—Buckingham-palace and the approaches to the royal residence yesterday presented a most splendid and extraordinary spectacle. The calls of the nobility and gentry in carriages, on horseback, and on foot, who entered their names in the visitors-book at the palace, were incessant, until the procession from the houses of parliament began to arrive. The crowds of persons in front of the palace, amounting to several thousands, were kept back by a strong body of police. About twelve o'clock, the sheriffs of London, with the Remembrancer and other city functionaries arrived in four carriages, to ascertain when it would be her majesty's pleasure to receive the addresses of the common council. Soon after one, a detachment of the grenadier guards, with their splendid band, marched through the gateway, on which the royal standard was hoisted, and took up their position in the entrance-court. The cabinet ministers and chief officers of the household arrived in quick succession, through the south-gate. At two o'clock, the state carriage of the Speaker of the house of commons entered the court, followed by 109 carriages filled with members of the house of commons: never before, it is said, was the Speaker followed by so numerous a cortège on the occasion of presenting an address. As soon as the carriages of the commons had left the court, the procession of the lords began to enter—the barons first, and then the other peers, rising in rank to the royal dukes of Sussex and Cambridge; the lord chancellor bringing up the rear. There were eighty-one carriages in the peers' procession; which was brilliant and imposing in an extraordinary degree. Many of the lords wore splendid uniforms and decorations of various orders: the duke of Wellington especially was attired with much magnificence. The procession of the commons passed with little notice from the crowd; but on the duke's appearance, the cheering was enthusiastic and universal. The dukes of Sussex and Cambridge also were cheered. Whilst the lords were alighting from their carriages, the grand terrace in front of the palace was crowded with distinguished persons in grand costumes.

The queen received the address on the throne. The lord chancellor and the Speaker of the house of commons advanced side by side. The dukes of Sussex and Cambridge walked in a line with the lord chancellor, the peers and commoners following. Prince Albert stood on the left of the throne; the great officers of state and of the household on the right. The

lord chancellor read the address; and the queen was graciously pleased to receive it.

Trial of Oxford for Shooting at the Queen.

July 9.—The trial of Edward Oxford for high treason was commenced in the central criminal court on Thursday and ended on the following day. The judges were, lord Denman, baron Alderson, and judge Patteson. The counsel for the crown were the attorney and solicitor-general, sir F. Pollock and Mr. Wightman; for the prisoner, Mr. Sidney Taylor and Mr. Bodkin. The indictment having been read, the prisoner on the usual question—"guilty or not guilty" being put, answered "not guilty."

The attorney-general stated the case for the prosecution. He expressed his satisfaction that the gentlemen placed in the jury-box possessed the entire confidence of both parties, indicated by the fact that no challenge had been given. He explained that the trial would be conducted in the manner prescribed by an act passed in the fortieth year of king George the Third's reign; which provided, that where the overt act of treason was a direct attack upon the life of the sovereign, the trial should be conducted as common trials for murder. This act only gave the life of the sovereign the protection enjoyed by the meanest of his subjects, and did away with the necessity of two witnesses to the overt act and other forms, very proper to be observed in cases of a political character. He understood from the affidavit on which the motion for the postponement of the trial was granted, that a plea of insanity would be raised. Two questions would then arise. First, whether, supposing the prisoner to be accountable for his actions, he was guilty of the offence laid to his charge; and secondly, whether, at the time he committed the act, he was accountable to the law for his actions. The burden of proof in the first case rested entirely with the prosecutor, for the prisoner was presumed to be perfectly innocent until his guilt was established by clear and unquestionable testimony. And unless the jury disbelieved the witnesses he should call, it would, he thought, be impossible to come to any other conclusion than that the prisoner was guilty. The attorney-general proceeded to state some of the circumstances of Oxford's life up to the time of the alleged treason—

The prisoner, the jury would perceive, was a very young man, about eighteen or nineteen years of age, though from his appearance it would hardly be supposed he had reached that age. It would appear that he was born, as he understood, at Birmingham, but came when very young to London. He went to school in Lambeth, and had since been in the service of several publicans in the capacity of barman. That was not, as had been stated, the situation of a pot-boy, but that of superintending the business of a publican; and when he was talking of what had been stated out of court, he must very respectfully beg of the jury to dismiss from their recollection all that they might have read and heard upon the subject, and to be guided entirely by the evidence which would be laid before them. They would not act in any degree upon what they might have heard or read expressive of indignation at the crime imputed to him, or any attempt to mitigate

that crime. The prisoner went first as barman to a publican—to his aunt, who, he understood, at one time kept a public-house at Hounslow. He next went to a publican in the city in the same capacity; afterwards he was in a similar situation at a public-house in Oxford-street. He then went into lodgings at No. 6, West-place, West-square, Lambeth; and that lodging continued to be his home until the offence with which he was now charged was committed. It would appear that he had deliberately formed a plan to make an attempt upon the life of the sovereign. On the 4th of May, in this present year, when he was living at this lodging, he bought a pair of pistols from a person of the name of Hayes, living in Blackfriars-road, for the sum of two pounds; at the same time he also bought a powder-flask. It would also appear in evidence that he practised shooting at a shooting-gallery in Leicester-square, at another in the Strand, and at another at the West-end of the town. On Wednesday, the 3d of June, just one week before the day named in the indictment, he went to a shop kept by a person of the name of Gray, with whom the prisoner had formerly been a schoolfellow, and who resides in Bridge-road, Lambeth, and there he bought half-a-hundred copper caps to use in firing pistols. He asked Gray at the same time where he could buy some bullets. He was told where bullets were to be had, and he said himself that he had some gunpowder. On the evening of Tuesday, the 9th of June, he was seen with a pistol, which he himself stated to be loaded; and when he was asked what he meant to do with it, he refused to tell, but said he had been firing at a target. He (the attorney-general) now came to Wednesday, the 10th of June. The jury were probably aware that it was the custom of her majesty queen Victoria, since her union with his royal highness prince Albert, frequently to take an airing with her royal consort in the afternoon or evening in the parks, without any military escort, and more after the manner of private life. This circumstance was, he believed, generally known to all her majesty's loyal subjects, and especially those living within the district. It would appear that on this Wednesday, about four o'clock, the prisoner went into the park; that he saw prince Albert returning from Woolwich, and going to Buckingham-palace; that the prisoner went up Constitution-hill, and there remained, expecting the approach of the queen. About six o'clock, her majesty, accompanied by her royal consort, left the palace in a low open carriage, with four horses and two outriders, who went before, and with no other attendants. Her majesty was seated on the left side of the carriage and prince Albert on the right. Her carriage drove up Constitution-hill. About one hundred and twenty yards, or one-third the distance between the palace and the triumphal arch at Hyde-park corner was the prisoner Edward Oxford walking backwards and forwards, with his arms under the lapels of his coat. He was on the right hand side of the road, opposite the iron railings which divide the road from the Green-park. When the carriage approached, he turned round, nodded, then drew a pistol from his breast, and, as the carriage was nearly opposite him, he discharged that pistol. The provi-

dence of God averted the blow from her majesty, the ball whizzed by on the opposite side, and in all probability her majesty was quite unconscious at that moment that any attempt had been made upon her life. The carriage proceeded. The prisoner then looked back, as if to see whether any person was standing near enough to see him, and drew another pistol, but whether with his right or left hand seems uncertain; he aimed it, however, at her majesty. It would appear that her majesty saw him aiming at her, for she stooped down. Again the providence of God preserved her majesty. The prisoner fired; the ball was heard to whiz along, but it missed its object. The queen immediately drove on to allay any alarm that might arise in the breast of her august mother on hearing the perils to which her majesty had thus been exposed. There were a great number of persons at the time on the left-hand side of the road, between the road and the gardens of Buckingham-palace. It was well known that curiosity and loyalty daily led many persons to that spot in the expectation that her majesty would show herself to her loyal subjects. Amongst those persons, there was a man of the name of Low, whom he should call before the jury. This man immediately rushed across, seized Oxford, and took his pistols from him. This person was for the moment believed to be the offender by another individual whom he should also call, and who said, "Why, you confounded rascal, how dare you shoot at our queen?" Upon which the prisoner said, "It was I who shot at her." He was immediately taken into custody, and taken to the station-house, where he voluntarily put the question, "Is the queen hurt?" and on being told the queen was not hurt, he was asked whether there were not bullets in the pistols, and he admitted at once that there were bullets. When he had been secured, and when it had been ascertained that his lodgings were as he had said, in West-place, West-square, a policeman was immediately despatched to search them. The prisoner occupied a room on the first pair back. The door of the room was open. The policeman found a box which undoubtedly belonged to the prisoner. That box was locked; but I shall show that he had in his pocket a key that fitted it, and that he acknowledged that it was his, as were also its contents. There were a sword and scabbard, powder flask and three ounces of powder, bullet mould, five leaden bullets, and some percussion caps, &c. Besides these, there was also found a pocket-book containing some papers. (The attorney-general here proceeded to read these to the court, they consisted chiefly of regulations for a club called "New England," but need not be noticed here.) After such proofs as these could any one doubt of his guilt? The balls had not been found, though marks on the wall were discovered which some conceived to be made by the bullets. He attached, however, little weight to this evidence, as he believed himself the balls had gone over the wall. He could show that Oxford was not skilful in the use of pistols; and in the flurry of the moment he probably directed the pistols unsteadily.

It remained to be considered, whether the prisoner, Edward Oxford, was insane at the time of committing the alleged act of trea-

son. He knew no grounds on which the prisoner could claim exemption from the punishment due to a crime of the deepest die. Was he in a state of insanity at six o'clock on Wednesday, the 10th of June? for that was the point to be clearly made out. The attorney-general referred to his conduct before the privy council, his cross-examination of the witnesses, and his comments upon the evidence, to show that he was in cool and perfect possession of his senses. Then was the time for him to say there were no balls in the pistols, but he made no such allegation—

Upon these facts it would be for the jury to say, whether, at the time the act was done, he was in a state to be accountable for that act. He contended that if his will, if his contracts would have stood good—if he was on that day in a condition to be intrusted with the management of his own affairs —if, in short, with regard to all civil matters, he could be considered as a reasonable being, *à fortiori* in a criminal proceeding he was responsible for his acts. He was sure the jury would come to a right and just conclusion upon the evidence; and that though they must feel compassion for the unhappy youth now at the bar, they would remember they had a duty to perform, and that they would perform it with firmness, and the country would have no reason to regret any verdict they might pronounce.

[It was noticed that during the first part of the attorney-general's speech, Oxford seemed careless and indifferent; but he was agitated and anxious when the different kinds of insanity were described.]

The examination of the witnesses then commenced. The first was Samuel Parkes, whose deposition at the home-office was given in full in the Spectator of June 20th. He repeated that testimony, with some additions. In his deposition he said, "there was a whizzing noise in front of my eyes:"—In court he said, "On the report of the pistol, I heard distinctly a whizzing or buzzing noise between my face and the carriage." He described the footway on which Oxford stood, as six or eight inches above the road—on a level with the centre of the road. The "line of the carriage reached to about the middle of her majesty's back."

Joshua Reeve Lowe repeated the statement in his deposition. On his cross-examination he said, that the carriage was quite low and open; that the prisoner was within three yards of it when he first saw the smoke; that the prisoner took deliberate aim, and that the carriage was going very slowly; he fired the second pistol up the road after the carriage, which, since the first shot, had advanced about eight yards.

Elizabeth Stukely, housekeeper to lord Bexley, saw the prisoner fire the pistols. She was on the edge of the footpath, within a yard of the carriage, when the "flash of the second pistol came close past her." By "flash" she meant that "something whizzed past her." Afterwards she said that by "flash" she meant light and smoke, and that she could not tell what whizzed past her ear—her right ear."

William Clayton, a cabinet-maker, and George Brown, a policeman, stated the particulars of the prisoner's capture. Brown said, when Oxford was asked at the station-house whether there

were any balls in the pistols, he replied, "there were balls." Cross-examined—Brown admitted, that he could not say those were the exact words. The garden wall opposite to which the prisoner stood was eighteen or twenty feet high. He had made a minute search of about 100 yards by twenty-five on the other side of the wall. Four or five others searched with him. The dust was taken to the palace and sifted, but no bullets were found.

Charles Smith, a policeman, heard the prisoner reply to one of the crowd, who asked whether the pistols were loaded, "If your head had come in contact with them you would have found whether there were balls in them or not."

The purchase of the pistols and the gunpowder was proved.

Sir Henry Wheatley, keeper of the queen's privy purse, went to the station-house soon after Oxford had been taken there. Oxford came forward and said, "Is the queen hurt?" He told sir Henry, that he was a bar-boy, but had been out of place ten days.

Lord Uxbridge saw the prisoner at the station-house—

"At the opening of the cell-door, where I found him, he addressed me by saying, 'Is the queen well?' I answered, 'How dare you ask such a question?' He said he had been at a public-house in Oxford-street for about four months, and that he had left it about a fortnight. He said he had been shooting a great deal lately; that he was a very good shot with a pistol, and a better shot with a rifle. He said the pistols had been given to him on the 3d of May, and something else also, which he went on to inform me was money, and that he could have as much more as he pleased. I said, 'You have now fulfilled your engagement.' He said, 'No, I have not.' I said, 'You have, as far as the attempt goes.'"

Thomas Lawrence, a perfumer, nodded and smiled to the prisoner, who smiled at him in return. The only important part of this man's evidence was, that he heard a person named Roche tell Oxford, that he (Oxford) was more fit to fire at a hay-stack than a target.

The honourable J. Oliphant Murray discovered a mark on the garden-wall, about as large as the palm of his hand, which appeared to have been made by a bullet fired in a slanting direction.

Mr. W. Owen Stanley gave evidence to the same purport.

J. W. Linton, a boy who lived in the Waterloo-road, was an old playmate of Oxford, who had shown him some handsome pistols (the pistols were produced.) They had been together to a shooting-gallery, where Oxford had half-a-dozen shots at a target. The man at the gallery found the balls.

Samuel Hughes, a policeman, produced the bullet-mould, powder-flasks, and other articles, also the "Rules and Regulations" found at Oxford's lodgings.

Mr. Fox Maule stated, that Oxford made and voluntarily signed, the following deposition at the home office—

"A great many witnesses against me. Some say that I shot with my left, others with my right hand. They vary as to the distance. After I fired the fi st pistol, prince Albert got up as if he would jump out of the carriage, and sat down again, as if he thought better of it. Then I fired the second pistol. This is all I shall say at present. EDWARD OXFORD."

Counsel for the prisoner asked Mr. Maule whether the government had made inquiry about the secret society?

The court said—"That is a question you can hardly ask."

Mr. Maule added, that he never found any reluctance in the prisoner to answer questions he had put to him.

The case for the prosecution closed with Mr. Maule's testimony.

Mr. Sidney Taylor then addressed the jury for the prisoner. It was now, he said, their duty to consider whether the evidence for the crown had produced in their minds conviction of the prisoner's guilt, or whether it did not leave a reasonable doubt of his guilt. He meant to show, that at the time the act was committed, the prisoner was not in sound mind, but an important issue was to be determined before the necessity arose of substantiating the plea of insanity—

It must be proved to their satisfaction that the prisoner had really committed the grave crime with which he stood charged. That crime was the highest that was known to the laws of this country. It was a crime which subjected the prisoner to the highest punishment of the law under circumstances, of a most solemn and appalling nature. If the jury should feel it to be their duty to pronounce a verdict of guilty against the prisoner, the sentence of the law would be that he should be taken from the place where he now was to the place of execution, drawn on a hurdle; that his head should be severed from his body after he had hung by the neck till he was dead, and his quarters would be placed at the queen's disposal. He hoped that the jury would bring all their reasoning powers to bear on the case, and that a conscientious anxiety would induce them to hesitate long before they condemned any one of their fellow-creatures, not to say a boy like him who now stood at that bar, to a fate so dreadful as this.

This was the first instance in which a person had been deprived on a trial for high treason of those securities which the old law provided. He was not "covered," like Hatfield, "with the whole armour of the law." It was not, he thought, needlessly that the prisoner had been protected with those forms and defences which were now removed. In the present case there had been a natural ebullition of public feeling; but he trusted the jury would divest their minds of all that had been done or said out of doors calculated to raise a prejudice against the prisoner. Mr. Taylor then called attention to the facts, as given in evidence. He contended that no proof had been adduced that the pistols were loaded. In the evidence of the witnesses there was great discrepancy as to the distance of the prisoner from the carriage; but it was quite clear, from his position, that had the pistols been loaded, the bullets must have struck the wall opposite or the ground. If, however, the jury adopted the attorney-general's suggestion, that the bullets went over the wall, there was an end of the case; for then Oxford must have aimed so high above the queen's head, that he could have no intention of hurting her. But no bullets had been found, nor a particle of metallic substance on the wall; which must have been visible had the bullets struck the wall even in an oblique direction. It was equally incredible, even on the showing of the witnesses for the prosecution, that the bullets could have passed

over the wall. Under these circumstances, was it not most probable that the pistols were never loaded at all?—in which case the prisoner would be entitled to an acquittal. Lord Abinger had recently directed a jury to acquit a prisoner who had put a pistol to the head of the prosecutor and threatened to blow his brains out, because there was no evidence that the pistol was loaded with ball; so he contended that if Oxford's pistols were only loaded with powder and wadding, he must be acquitted. He protested against that part of the evidence which related to questions and answers by the prisoner in the hurry and confusion of the station house; and contended that the prisoner's question, "Is the queen hurt?" might very naturally be put, because she might have been hurt by the wadding.

There was a somewhat similar case to the prisoner's in 1786, the King *versus* Edwards, tried at the Old Bailey Sessions. The culprit in that case came behind a young woman that he had known, who was then walking with another person, and discharged two pistols at her back. There were two slight contusions discovered on examination, and the prisoner, on being arrested and searched, was found to have two other pistols, "loaded to the muzzle," in his possession, with which it was supposed he intended to kill himself after he had killed his victim. But, notwithstanding all this—notwithstanding, too, that the prisoner expressed his satisfaction at the idea of having slain the young woman, and his regret on learning her escape, the jury acquitted him of the intention to murder, on the ground that the pistols were not loaded with balls. Was not that a stronger case than this? In that case, as in this, the prisoner was of unsound mind, and the jury would not go further in the case because of his insanity. It was for the jury to say, whether the evidence was sufficient to show that the prisoner had loaded the pistols with ball, and pointed them at the queen to take her life. If they were not of this opinion they must acquit the prisoner. Should they be of opinion that the pistols were loaded, and that he had pointed them, which he trusted they would not be, he should then have to show them that the prisoner was not in a sane state of mind, and the jury would have to consider whether he was in a condition to be accountable for his actions, and liable to the course of the law.

Attempts had been made to kill her majesty's grandfather, but not by persons in sound mind; and he trusted the result of this trial would confirm the general belief, that no person in his senses would lift his hand against the life of his sovereign. Mr. Taylor then went into an elaborate examination of the cases of Margaret Nicholson, Hatfield, and Lieutenant Curtis, to show that they all premeditated the attacks they made on the life of George the Third, and took the surest means of executing their intention, yet, in each case, the offender was judged insane. At that time, also, events in France had excited the public mind, and a motive might suggest itself for acting the part of a regicide; but what motive could any sane person have for killing the queen of England? An attempt had, indeed, been made to implicate the prisoner in some plot, because certain papers had been found in his box.

The jury had heard the attor-

ney-general open that part of the case, but he submitted that the documents which had been found by no means went to show that the prisoner belonged to any political society whatever. In fact, it was clearly proved that no such society was in existence, and if there had been any such, he would ask the jury if it could have been left undiscovered by an active and vigilant police? With all the means and powers which the government possessed to bring such a society to light, proof of its existence would have been brought before the court. He would fearlessly ask the jury, then, if they believed for one moment that the young man at the bar was connected with any political society without having its members dragged into the light of day; and he would ask, too, in what state of society would we live if such a youth as the prisoner at the bar could be turned into the agent of a political association? He was quite sure that the jury would go along with him in declaring that there was not a shadow of evidence to prove that such a society ever had existed, except in the heated imagination of the stripling at the bar. It would be shown that all the papers to which he referred had been written by the prisoner himself —were the creations of his own foolish fancy; and he would ask, had the agents of the government been able to trace him to have been connected with any political club held in the night-time, in any obscure building, for the purpose of concealing their machinations? With what view, then, were these papers produced in court, if not to establish such a fact against the prisoner? But, being here, he considered they furnished the strongest evidence against the prisoner in proof of his insanity. Now, he would ask the jury, if they considered, that with all the boundless wealth and influence of the government to procure evidence and information—he did not mean to say improperly to obtain it—but if, with all their power, they failed to produce evidence of a treasonable nature, had he not a right to say that no such evidence could be obtained, and that the prisoner at the bar was labouring under a mental delusion.

As to the letters signed Smith, they would be proved to be in the prisoner's own handwriting.

It was evident from the manner in which Oxford acted, that he could not have been the selected agent of plotters against the queen's life.

The prisoner went to a place where the queen's carriage was expected to pass, and there he walked up and down, with his arms folded, until the carriage arrived, when he fired the pistols at her majesty. Now could the jury believe that the prisoner, if in a sane state of mind, would have gone to such a place for such a purpose, as if he really courted publicity, and was anxious to draw down upon his devoted head the terrors of the law? It was stated that there was an open railing near the spot. Now would not the prisoner have stood within that railing, and fired thence, trusting to his chance of escape across the park, had he been of sane mind? He did not, however, take any such precaution, but went in the public manner described by the witnesses, and committed the mad and desperate act alleged against him; and after he had committed the act, what then was his conduct, when the excitement of the crime was over,

and the natural feeling to preserve his life, might be supposed to have induced him to consult his safety by flight? But did he fly? No; he stood his ground, and when another person was seized instead of him, as if he was determined that he would have all the notoriety as well as all the penal consequences of the act, he at once declared, "It was I who did it." Might he not have naturally expected that the indignation of the crowd at such an attempt on the beloved queen would have induced those around him to have torn him to pieces on the spot? But no thought of that kind had induced him to fly; he stood firm, and surrendered himself up at once to await the consequences of his act, and braved the danger of the inflamed spectators, had they chosen to have exercised their indignation upon him. He asked the jury, then, if any sane man or boy would have acted thus?

He would show that a predisposition to insanity existed in the prisoner's mind, and that it was hereditary in his family, his grandfather having died in a lunatic asylum. In conclusion, he was quite sure, that under all the circumstances, the jury would come to the conclusion, that the act of the prisoner was not that of a sane person, and that he was not answerable for the offence charged in the indictment.

The following witnesses were then called for the defence:—

Sandiman Kent, examined by Mr. Bodkin.—I reside at Kentish-town, and am a carpenter. I was acquainted with the prisoner's grandfather, who was a sailor. I knew him for several years, and had him under my observation until he died, about eight or nine years ago. His mind I considered was unsound during the early part of his life, but he grew better towards its close. In the year 1799 he was raving mad, and I assisted to confine him with cords. It required the united strength of three persons to keep him down. He was subsequently taken before a magistrate, who sent him to Petworth Bridewell, where he remained for about a fortnight, when he was discharged under a promise that he would go to London. On another occasion he ran after me with a spit, and I have known him to smash almost everything in the house. He knocked down two clocks one day, and was subject to strange and sudden fits of insanity. He would jump and dance about, and appear like a man quite beside himself. He was admitted into Greenwich hospital, and was placed in the Queen's ward.

Sophia Oxford.—I am the widow of the prisoner's grandfather, who died at Greenwich hospital eleven years ago. We lived together thirty-five years. He was always very unsettled in his mind, particularly when he took liquor. I noticed a strangeness about him soon after we were married. The prisoner's father was only twelve months old when the grandfather came to the house and caused a great disturbance. He was taken to the magistrates in consequence, and with the assistance of a waterman, the beadle of the parish, and some other men, a strait-waistcoat was put upon him, and he was considered so bad that it remained on him for a fortnight, and two men were obliged to sit up with him. He got better in a couple of months, and then came to see me. When he was at Greenwich he was attended by sir Richard

Dobson for an attack in his head, which I firmly believe affected his mind. For a year previous to his death he behaved very steadily.

Mrs. Hannah Oxford.—I am the mother of the prisoner, and married his father when we were each twenty years of age. I was acquainted with him for about six weeks before our marriage. He became acquainted with me at the Hope and Anchor public-house at Birmingham, and I married him against the consent of my friends. Both before and after I was married to him he acted very strangely; and previous to our marriage he attempted to draw a razor across his throat, and threatened to shoot himself with a double-barrelled pistol, which he said was loaded with slugs. I promised to marry him at the very time that the princess Charlotte was lying dead; but before the day appointed for the marriage I said I would not be his wife in consequence of some inquiries made respecting him, and he then pulled out a bundle of bank-notes, threw them into the fire, and watched them until they were consumed. He was in a great rage before he did it, because I would not take the money to purchase some furniture. Before we were married he was found in the street with an open razor in his hand. He was crying, and seemed in a very desponding state, and in that state he was taken home by a watchman. After we were married he did not mend in the least, and during my pregnancy of my second child he used to make all sorts of faces and grimaces at me, and when the child was born it used to distort its face in the same way, and never showed any indication of sense or reason. That child died when it was two years and nine months old; and while I was pregnant with the prisoner my husband used to make the same grimaces. He was always tormenting and annoying me. I never did anything to vex him, but, on the contrary, was too kind and attentive to him. He was a gold chaser by trade, and could earn twenty guineas a week. He bought a horse on one occasion, and used to lead it about the parlour. When I was pregnant with the prisoner my husband threw a quart pot at me, and hit me on the head. I fell down from the effects of the blow, and was insensible some time. When we were living at Birmingham he stripped the house of every article of furniture without any quarrel between us, and then went to Dublin, where he spent a sum of money which he took with him. When he returned he pushed me from him, and refused to take my hand. He always acted contrary to what he was told to do. When I was in distress for money he used to laugh, and had a sort of supernatural look with him. I knew him to take laudanum twice, and on one of the occasions he was very ill. He died on the 10th of June, 1829. I saw his father on that occasion, and he scolded me for having the body opened without getting anything for it. The prisoner was born on the 9th of April, 1822. When he was seven years of age he used to burst out crying for no cause. He continued this habit from three or four years of age up to the present time. He would sometimes get into a violent rage without any cause, and he would knock and destroy anything he might have in his hand. The first day he brought pistols home he pointed one of them at me, and on another occasion he levelled a

loaded gun at me. When a child he burnt his face with gunpowder, and he was very fond of firing off little cannons. After his fits of passion he would burst out into fits of laughter, which appeared to be quite involuntary. My customers complained of his conduct, and I lost my business entirely. At other times he was penitent. When he was not under such excitement he was very reserved, and would not speak, and used to be very angry with me if I spoke to him. I went into the service of Mr. Prescott, the banker, as confidential housekeeper, when I lost sight of the prisoner for some time. After that I placed him under the care of a person of the name of Salmon. I remained with Mr. Prescott for a year and a half, and after that time the prisoner appeared more calm and collected.

Mr Baron Alderson. — How long is that ago?

Witness.—About eight years.

Examination continued. — The prisoner was in the habit of going on to the roof of the house, and throwing things at persons passing. He was once taken to the station-bouse for getting up behind a carriage and alarming a lady.

Lord Denman.—How long is that ago?

Witness.—About six years ago.

The prisoner never, to my knowledge, belonged to any club or society. I left London for Birmingham about four weeks before this affair occurred. He had left his situation about a week before that time. He received 20*l.* per annum wages. He also received a suit of mourning when his mistress died, which enabled him to obtain the clothes he now wears. Upon one occasion he presented a pistol at me; I then asked him why he spent his money so foolishly? When he replied that the pistol did not belong to him, it belonged to a young man for whom he was taking care of it. A day or two before I went to Birmingham the prisoner struck me a blow across the face; I called up my landlady, who said that if she struck her mother she should expect her hand to drop off. Upon which the prisoner appeared ashamed, and became very sullen. I know his handwriting; the letter produced is his writing.

The witness was cross-examined by the solicitor-general, but nothing of additional interest was elicited.

Dr. John Conolly, physician to the Hanwell lunatic asylum had 800 patients under his care. He had conversed with the prisoner at the bar, and considered him of unsound mind. Cross-examined by the attorney-general, Dr. Connolly said—

"I saw him the day before yesterday for the first time. I conversed with him for, perhaps, half an hour. That is the only private examination I have ever made of him. I do not think that in all cases a person of unsound mind should be put under restraint. It depends entirely on the character of the individual. Dr. Chowne and Mr. James Clarke, and the honourable Fox Maule, were present at my interview with the prisoner. He answered the questions put to him quite willingly; but his answers were very unsatisfactory. When I spoke to him of his trial, he said, 'Trial, when?' as if he did not know anything about the trial. When I asked him if he was not aware that he had committed a very great crime in shooting at the queen, he replied, 'I might as well shoot at her as any

one else.' I did not take notes of the conversation with the prisoner. He said he was attached to his friends. I made some notes when I went home of the general impression of the case upon my mind. I did not make him do any sum in arithmetic."

By the Court—I examined the head of the prisoner, and found the upper part of his forehead of such a formation as frequently indicates an imperfect development of the brain.

The witness, by the direction of lord Denman, read the notes which he had made. They remarked upon the formation of the anterior part of the head; the apparent acuteness, but total inability to reason, manifested by the prisoner; his total insensibility respecting the affections, and to the heinousness of his offence.

Dr. Chowne, physician to the Charing Cross hospital and lecturer on medical jurisprudence, gave the following testimony—

"I should consider the conduct of the prisoner an extremely strong indication of unsound mind. I consider doing an act without a motive, a proof to some extent of an unsound mind. That state of insanity has been well described by the term 'lesion of the will.' It is sometimes called moral insanity. I have patients often come to consult me who are impelled to commit suicide, without any motive for so doing. They tell me they are happy and comfortable in other respects, but that they have a strong desire to commit suicide without knowing why. This state of mind is not incompatible with an acuteness of mind, and an ability to attend to the ordinary affairs of life. From the conversation I have had with the prisoner, I am decidedly of opinion that his state of mind is a mixture of insanity and imbecility. The laughing and crying are an evidence of the same state of mind."

The last witness was Mr. James Clarke, a surgeon—

"I have been in practice four years. I have had some experience in the treatment of insane persons. I have been in the habit of attending the prisoner's family for two years. I accompanied Dr. Conolly and Dr. Chowne the day before yesterday. The opinion I have formed of the state of the prisoner's mind is, that he is in a state of imbecility. This judgment has not been formed by the interview alone, but from other circumstances; I am decidedly of opinion that he is of unsound mind. When I have visited the family, his mother has told me there was something very remarkable about him. The laughing attracted my attention. It was a sort of hysteric laugh, which was frequently an accompaniment of insanity. His mother told me on one occasion, that she feared he was going into the same state as his father was. His manner during the interview was much of the same character as I had before observed—great insensibility to all impressions. On one occasion, when I visited the prisoner's mother, the prisoner took no notice of me, and behaved as if he did not see me. His mother said, 'How rude you are, why do you not speak to Mr. Clarke?' He appeared absorbed and unconscious. She spoke to him a second time, and still he took no notice. On her speaking to him a third time, he jumped up with great violence of manner, and threatened 'to stick her.' In cases of hereditary insanity, it had been noticed

that it frequently showed itself at the period of puberty, between the ages of fourteen and twenty."

Cross-examined by sir F. Pollock—"I never prescribed for the prisoner, nor recommended any course of diet. Dr. Chowne, Dr. Conolly, and myself assembled together previously to, and for the purpose of going to have an interview with the prisoner. I was present when the prisoner was brought up at the last session, and heard an affidavit read for the postponement. I was not asked to make an affidavit myself."

Re-examined by Mr. Bodkin—"The bodily health of the prisoner was good."

The Solicitor-general replied. He examined the whole body of evidence with great care and minuteness, directing attention to all the circumstances which went to inculpate the prisoner, and taking especial pains to satisfy the jury that the pistols were really loaded with ball. He contended that the balls must have gone over the wall, and that the fact of no bullets having been found did not invalidate the positive and distinct testimony of witnesses who swore that they heard the whizzing noise, which bullets would make. With respect to the degree of insanity which must be proved to excuse the guilt of the prisoner, the solicitor-general took the same line of argument as the attorney-general, and adduced additional authority and precedents in support of it. He then dissected the evidence offered to prove the prisoner's insanity, contrasting it with those parts of his conduct which indicated a clear intellect and remarkable self-possession. From the fact that Oxford was never known to talk about his conspiracy, he drew the inference that the existence of the society of "Young England" was not a delusion of the brain, but that the lad knew all the time it was a foolish fabrication. The father and grandfather were violent men, who acted like maniacs—when they were drunk; but on the other hand the jury must have been struck with the self-possession and clear-headedness of the prisoner's mother and sister. Oxford had behaved very foolishly in several places where he lived as barman; but he was trusted by his employers, and did not leave one of them on account of mental incapacity. He laughed and cried frequently; but it did not appear that he laughed when he was boxed or beaten, or that he cried when he was pleased. Like other men's, his laughter flowed from joy and his tears from sorrow. There was nothing like insanity in this. [Our space forbids more than this brief indication of the points in the solicitor-general's adroit and elaborate speech.]

Chief Justice Denman charged the jury. He went over the principal evidence, directing attention to the most important parts of it, and particularly to the uncertainty which remained as to whether the pistols were loaded with ball. The question of the prisoner's sanity he left entirely to the jury, mentioning that Dr. Conolly, from his great experience, might be supposed to be a good judge, and he had declared his belief that the prisoner was not of sound mind. At the same time, he cautioned the jury against the dangerous doctrine that the commission of a great crime without an apparent motive was in itself proof of insanity. Lord Denman put his own view of the question of insanity very clearly—

All the circumstances would have to be taken together, and they would decide only after summing up the whole. If they thought he was at the time labouring under any delusion, which prevented him from judging of the effects of the act he had committed, they could not find him guilty. He might be labouring perhaps under a delusion which affected every part of his conduct, and was not directed to one object alone. If that were the case, and if the disease affected him at the time the act was committed, then he could not be held accountable for it. One cannot say what a person labouring under such a delusion may do; and the motive, in that case, would not be apparent. With regard to the motive, a love of notoriety had been suggested; but might this absurd sort of love of notoriety not as well have been gratified by firing pistols unloaded as loaded? And if they were unloaded there could not be an offence. But although he laboured under a delusion, if he fired the loaded pistols at the queen, knowing the result which would follow his conduct, and although forced by his morbid desire for notoriety to the act, he would be responsible for his conduct and liable to criminal punishment.

He left three questions with the jury—

It is for you to determine, whether the prisoner did fire the pistols, or either of them, at her majesty, and whether the pistols, both or either of them, were loaded with a bullet. Supposing, gentlemen, that you should come to a satisfactory conclusion that the pistols, or one of them, were levelled at her majesty, and that they or either of them were loaded, then the defence which has been set up raises the further inquiry whether, at the time the prisoner committed the act, he was responsible for it.

The jury retired to consider their verdict, and having been absent from the court about three-quarters of an hour, they returned at a quarter-past six o'clock, when their names were called over, and the foreman of the jury returned the following special verdict—"We find the prisoner, Edward Oxford, guilty of discharging the contents of two pistols, but whether or not they were loaded with ball has not been satisfactorily proved to us, he being of unsound state of mind at the time."

The attorney-general, as soon as the verdict was delivered, referred their lordships to an act of parliament, the 40th of George III., which provides that persons acquitted on the grounds of insanity shall be imprisoned during his majesty's pleasure. The learned gentleman said he presumed that the jury intended to acquit the prisoner on the ground of insanity by the verdict they gave, and therefore he applied to their lordships under the act of parliament.

Mr. S. Taylor submitted, that the act of parliament in question did not apply to the present case, inasmuch as the jury had acquitted the prisoner of the offence with which he was charged by negativing the fact that the pistols were loaded with bullets.

The attorney-general contended, that if the contents of the pistols were discharged at the queen, he apprehended that the overt act charged in the indictment was sufficiently supported for the purpose of calling to the aid of the crown the act of parliament in question, in order that the prisoner might

be confined as a lunatic during her majesty's pleasure.

Mr. S. Taylor said that the indictment alleged that the pistols were loaded with leaden bullets, and the jury had declared that that fact had not been proved to their satisfaction; it therefore followed that an acquittal must take place.

The Attorney-general observed, that all the jury had said by their verdict was, that they did not know whether the pistols were loaded with bullets or not, but they declared that the prisoner was of unsound mind at the time he discharged them. The defence of the prisoner was, that he was insane, and evidence had been gone into to establish that fact. Now, although the jury had acquitted the prisoner by finding that he had not committed the act alleged against him, yet they were still called upon to say, at the time the act was done, whether the prisoner was sane or insane.

Mr. Taylor declared that the attorney-general had no right to alter the wording of the act of parliament in order to suit the purposes of the crown. The *corpus delicti* of the offence had not been proved—namely, that the pistols were loaded with ball; and in a prosecution of this kind, where the prisoner's life was at stake, it was not fitting on the part of the attorney-general to stand up and endeavour to visit the prisoner with perpetual imprisonment when the jury found him not guilty.

Mr. Bodkin contended, that a the principal averment in the indictment had been negatived by the jury, the prosecution necessarily fell to the ground, and the prisoner was necessarily acquitted.

Lord Denman said, that the jury were in a mistake. It was necessary that they should form an opinion as to whether the pistols were loaded with bullets or not; but it appeared that they had not applied their minds to that point, and therefore, it would be necessary that they should again retire to the room, and say, "Ay,' or "No," did the prisoner fire a pistol loaded with ball at the queen; for that, in truth, was the question at issue.

The foreman of the jury said, that they could not decide the point, because there was no satisfactory evidence produced before them to show that the pistols were loaded with bullets.

After considerable discussion upon the point, the jury again retired to reconsider their verdict, and during their absence the question was again argued, and it appeared to be the opinion of the learned judges that the jury were bound to return a verdict of guilty or not guilty upon the evidence brought before them.

The jury having been absent nearly an hour, returned into court and found the prisoner guilty, he being at the time insane.

Court-Martial on Captain R. A. Reynolds.

Brighton, *Friday, Sept.* 25.

Yesterday the general court-martial ordered to try the charge preferred by the earl of Cardigan against Captain R. A. Reynolds, of the 11th (Prince Albert's) Hussars, assembled at the cavalry barracks, situate about a mile and a half on the Lewes road from this town. A ward in the hospital was fitted up for the occasion. A table stretching half the length of the

room was set apart for the president and other members of the court; lord Cardigan, with Mr. sergeant Wrangham, and captain Reynolds, with Mr. Watson, their respective legal advisers, sat in opposite corners at the upper end of the apartment.

The judge-advocate arrived about ten o'clock, when the room was cleared, and not opened again to the public until the whole of the officers composing the court had arrived and taken their places. Their names are as under:—

Sir H. Pakenham, president; lieutenant-colonel Vandeleur, 10th Hussars; lieutenant-colonel Fane, 54th Regiment; colonel Arbuthnot, 73rd Regiment; colonel Dynely, Royal Artillery; colonel Brunton, 13th Light Dragoons; colonel Broadhead, Coldstream Guards; captain and lieutenant colonel sir J. Burgoyne, Guards; captain and lieutenant-colonel Berkeley Drummond, Scots Fusileer Guards; major Cockburn, 60th Rifles; major Drummond, 91st Regiment; captain Holcombe, Royal Artillery; captain Doherty, 14th Dragoons; captain Spottiswood, 9th Lancers; captain hon. H. Pitt, Blues; and judge-advocate Pipon.

The whole appearing in full regimental costume presented a truly magnificent and imposing spectacle.

Before the proceedings commenced,

The president (Sir H. Pakenham) said, he wished particularly to address the reporters for the public press. The court had agreed to give them every accommodation which could be afforded, in order to enable them to take their notes with accuracy; but the wish of the court was, that no publication should take place until the entire proceedings were concluded. The obvious reason of this was not only that *ex parte* statements should not appear, but that parts of the evidence should not be exposed to comments which would be unjust. It was hoped this would be attended to. The object was the ultimate attainment of justice.

The judge-advocate then read the queen's warrant, ordering the court-martial to take place, and nominating its members; also the authority of the judge-advocate-general for him to act as his deputy. He, then, addressing captain Reynolds, read the names of the officers, and asked if he had any objection to urge against any of them sitting on this court-martial?

Captain Reynolds immediately replied in the negative.

Upon which all the officers were sworn, and the judge-advocate in the manner usual upon such occasions.

The charge was then read as follows:—

"For that he, Captain R. A. Reynolds, having at Brighton, on the 27th of August, 1840, written and sent a letter to lieutenant-colonel the earl of Cardigan of the same regiment, his commanding officer, of an improper nature, and being thereupon personally ordered by the said earl of Cardigan, as his commanding officer, to the following effect, viz., that all letters addressed to him by Captain R. A. Reynolds should in future be strictly official, nevertheless the said captain R. A. Reynolds, in direct violation and disobedience of such order by his commanding officer, did, on the same day, viz., the 28th of August, 1840, write and address to him, lieutenant-colonel the earl of Cardigan, a most disrespectful, insubordinate, offensive, and insulting

letter, imputing to him conduct calculated to excite him to depart from his duty as commanding officer, and which last-mentioned letter is as follows:—

"'*Brighton, August 28th*, 1840.

"'My lord,—Having in my letter to your lordship of yesterday stated to your lordship that a report had reached me that your lordship had spoken of me in such manner as I deem prejudicial to me, considering the position in which I am placed; and having, in the most respectful manner, requested your lordship to allow me to contradict such report, and your lordship having this morning positively refused to give me any answer, I beg to tell your lordship that you are in no wise justified in speaking of me at all at a public party given by your lordship, and more particularly in such manner as to make it appear that my conduct has been such as to exclude me from your lordship's house. Such assertion is calculated to injure me. Your lordship's reputation as a professed duellist, founded on the having sent major Jenkins to offer satisfaction to Mr. Brent, the miller of Canterbury, and your also having sent captain Forrest to London to call out an attorney's clerk, does not admit of your privately offering insult to me, and then screening yourself under the cloak of a commanding officer; and I must be allowed to tell your lordship that it would far better become you to select a man whose hands are untied for the object of your lordship's vindictive reproaches, or to act as many a more gallant fellow than yourself has done, and waive that rank which your wealth and earldom alone entitle you to hold.

"'I am, my lord, your lordship's obedient servant,

"'Richard Anthony Reynolds.

"The right hon. the earl of Cardigan, 45, Brunswick-square, Brighton.'

'Such conduct as aforesaid being in the said captain R. A. Reynolds unbecoming an officer and a gentleman, prejudicial to the interests of the service, subversive of good order and military discipline."

The judge-advocate then asked whether captain Reynolds pleaded guilty or not guilty?

Captain Reynolds replied "Not Guilty."

Witnesses for the prosecution and defence having been ordered to withdraw,

The earl of Cardigan was called upon by the judge-advocate.—His lordship, who spoke under strong excitement, and with great rapidity, read from a written document, as nearly as we could collect, to the following effect:—Mr. President and Gentlemen,—I present myself before this honourable court to conduct this prosecution, in obedience to the express orders of the general commanding-in-chief; and before entering on the more immediate matter of charge before you, I trust I shall be forgiven for shortly expressing my deep and unfeigned regret at being compelled to appear here in that capacity. The position of public prosecutor of an officer under my own command is always sufficiently painful and invidious, even when backed by unanimous approbation and encouragement; it is doubly so to me, from the torrent of misrepresentation and obloquy which has been poured on me by a portion of the public press from the moment these proceedings were announced—misrepresentations, be

it remembered, from which, no matter however gross, I am deprived of all means of defence, by the positive orders of the army prohibiting any officer on full pay from communicating on military affairs with the public press. To these calumnies I submitted in silence, my only and sufficient support being, that on a full representation of the whole transaction, and after a deliberate investigation, the judgment of the highest military authority has been pronounced in my favour in terms the most comprehensive and decisive. Satisfied, therefore, with the approbation of the general commanding-in-chief, I have been content to disregard all *ex parte* attacks on me, the more easily as I know the day would arrive, when, fairly and legitimately, I might come forward and appeal from the unlicensed aspersions of the press, to the calm, deliberate, impartial, conclusive judgment of this honourable court. Sure I am, if those who thus pertinaciously libel me, putting ungracious and derogatory words into my mouth which I solemnly declare never issued from it, and imputing to me conduct unworthy of a soldier, hope to goad me into the use of harshness towards the prisoner, or sway me at all in the conduct of this prosecution, their object will be signally defeated. No, it is with no animosity towards captain Reynolds, but with feelings most distressing to myself, and in obedience only to the strongest sense of duty, that I have now to call your attention to the very serious offence of which he is accused, and I hasten from all personal reference to myself to a short, and, I hope, temperate statement, of the charge against him. My statement, indeed, must be necessarily short, for the charge itself, which has just been read, is so simple and explicit as to leave me little else to do than to mention a few facts requisite to put the court in possession of the circumstances under which the prisoner's letter set forth in the charge was written, and thus enable you fully to understand the whole of the transaction on which you are to decide—all others I dismiss. On Tuesday, the 25th of August, at a private party in my own house in Brighton, I was in conversation with a young lady, whose name it is, perhaps, unnecessary to introduce into these proceedings, when she remarked she did not see the captains Reynolds, alluding to the prisoner and another officer of the same regiment, present, and asked me why they were not there? I answered I had not invited them. She said "Why not?" To which I replied, "Because I don't happen to be on good terms with them, and I fear if you are very anxious to see them, you are not very likely to meet them here." "Why not on good terms?" she said; to which I answered, "Oh! that is a very long story, and I don't wish to enter into it." Here the conversation stopped, having been carried on throughout in the ordinary tone of conversation, in a private room, exclusively addressed to one person, and in answer to questions put by her—circumstances under which few persons in private society, putting all regimental considerations aside, would feel themselves called on to make such a demand as that which captain Reynolds addressed to me in a letter, dated Thursday, August 27, which is referred to in the charge, and which I shall now read to the court:—

"*Brighton Barracks, Aug.* 27, 1840.

"My lord,—A report has reached me that on Tuesday last, at a large party given by your lordship, when asked why the captains Reynolds were not present, your lordship replied, 'As long as I live they shall never enter my house.' I cannot but consider this report highly objectionable, as it is calculated to convey an impression prejudicial to my character, and I therefore trust your lordship will be good enough to authorise me to contradict it.

"I am, my lord, your lordship's obedient servant,

"RICHARD ANTHONY REYNOLDS."

Upon this letter it is proper I should trouble the court with a few words of comment, which I think material in explanation of the course I took on receiving it, and to which I earnestly entreat their most serious attention. Captain Reynolds and I were not on terms of communication, except on matters of duty, and I had no difficulty in coming to the conclusion, that the purpose of his letter was not, as it professed to be, to enable him to contradict, but to oblige me substantially to confirm the report to which it alludes. I saw at once this could only be intended for one of two objects—either to render me answerable as the basis of ulterior proceedings before the higher authorities of the army, or more probably make the ground of requiring at my hands another species of satisfaction, which, however usual in general society, is obviously inadmissible, and highly improper between persons in the relative situations of captain Reynolds and myself. I determined, after full consideration, to forbear answering his letter at all. I acted according to the best of my judgment at the time, and much and mature reflection since has satisfied me that in so doing, I exercised a sound discretion for all parties. Accordingly, I took the first fitting opportunity of intimating to captain Reynolds both the course on which I had resolved, and my disapprobation of that which he had pursued. This was on the following morning, Friday, the 28th, when the regiment paraded for field exercise on the Downs. I called captain Reynolds a considerable distance from the troops, and in presence of the adjutant and captain Jones, the next senior officer in command, he being then on duty as captain officer for the week of the Pavilion squadron, and I addressed captain Reynolds, to the best of my recollection, in these words:—"I yesterday received a communication from you, to which I beg to inform you I have no reply to give, inasmuch as I consider your letter one of an improper nature for you to address to me; and I have to request in future that all letters addressed by you to me may be strictly official, with my military rank affixed to the address, and with your own to your signature." Nothing more passed; but in the afternoon of the same day I received from captain Reynolds a letter set out at length in the charge, and which forms the main subject of it. Immediately on reading that letter, I sent orders to the adjutant to place captain Reynolds under arrest, and reported the whole transaction by the first practicable post to the general commanding-in-chief, who, through the adjutant-general, acquainted me in reply that there was no alternative but to bring captain Reynolds before a general court-martial; and I have

since received from his lordship a command, notwithstanding my positive request if I could decline consistently with the interests of the service, to conduct the prosecution; in obedience to which order I am now addressing you. I believe I have now stated to this honourable court, I trust without trespassing too long on their attention, or pressing unduly on the prisoner, I need scarcely say, without the conscious omission of any material circumstance, the whole of the facts connected with what I again call this most painful and serious case; and having done this, my part is nearly over. All that remains is to read to the court once more the letter itself:—

"*Brighton, Aug.* 28, 1840.

"My lord,—Having in my letter to your lordship of yesterday stated to your lordship that a report had reached me that your lordship had spoken of me in such a manner as I deemed prejudicial to me, considering the position in which I am placed, and having in the most respectful manner requested your lordship to allow me to contradict such report, and your lordship having this morning positively refused to give me any answer, I must beg to tell your lordship that you are in nowise justified in speaking of me at all at a public party given by your lordship, and more particularly in such a manner as to make it appear that my conduct has been such as to exclude me from your lordship's house. Such assertion is calculated to injure me. Your lordship's reputation as a professed duellist, founded on the having sent major Jenkins to offer satisfaction to Mr. Brent, the miller at Canterbury, and your having sent captain Forrest to London to call out an attorney's clerk, does not admit of your privately offering insult to me, and then screening yourself under the cloak of commanding officer; and I must be allowed to tell your lordship, that it would far better become you to select a man whose hands are untied for the object of your lordship's vindictive reproaches; or to act as many a more gallant fellow than yourself has done, and waive that rank which your wealth and earldom alone entitle you to hold.

"I am, my lord, your lordship's obedient servant,

"Richard Anthony Reynolds.

"To the right hon. the earl of Cardigan, 45, Brunswick-square, Brighton.'

(The noble earl, while reading the latter part of this letter, was all but overwhelmed with emotion). With regard to this letter, any comment on my part would be superfluous — almost unbecoming. It is in direct disobedience to my orders given the very day it was written; both the address and signature are without the addition of our respective military rank. But it is not on this defect or omission, however culpable under the circumstances, that I wish more particularly to insist; it is the substance and contents of the letter, its obviously insubordinate, unofficerlike, and ungentlemanly tendency, that must make it be considered mainly deserving of censure. If a subordinate officer may indulge in a tone of insult to his commanding officer—if he may impertinently sneer at him as a professed duellist, whose reputation rests on his having sent hostile messages to a miller at Canterbury and an attorney's clerk at London —if he may impute to him a readiness to offer insult privately, and

screen himself under the cloak of commanding officer—if he may dare him to select one whose hands are untied for the object of his vindictive reproaches, and bid him act as many a more gallant fellow than himself had done, and waive that rank which wealth and earldom entitled him to hold—if this may be done not with the junior cornet of the regiment, but with the senior captain, I will not say, with impunity, but without being visited with the severest displeasure of a military tribunal—then will it be impossible for a commanding officer to maintain that subordination which is essential to his efficiency—then, indeed, will a system be encouraged fatal to the best interests of the service, and destructive to the discipline of the army.

The noble earl having read the written statement, signed it, and delivered it into the hands of the advocate-general, by whom it was received and marked "A."

The earl of Cardigan, having been duly sworn, deposed as follows:—I received this letter, signed Richard Anthony Reynolds, dated Brighton, August 27, 1840. I received it in the course of that day. (The letter was then put in as evidence.)

Captain Reynolds.—Oh, I admit the letter.

The letter was received by the court, read, and marked "B."

The earl of Cardigan continued.—To which letter I gave no reply, but on the following morning, the 28th of August, when the regiment was formed for field exercise on the Downs, I called captain Reynolds out, at a considerable distance from the regiment, quite out of hearing of the regiment, except the adjutant and captain Jones, whom I ordered to be present, captain Jones being the next senior officer to myself and captain Reynolds, both the majors being at the time absent on leave, captain Jones being also at the time a duty officer, having been placed in regimental orders as captain of the week of the Pavilion squadron. I then addressed captain Reynolds in words to this effect:—"Captain Reynolds, I yesterday received a communication from you, to which I beg to inform you I have no reply whatever to make, inasmuch as I consider it was a letter of an improper nature for you to address to me, and I have to request that in future all communication from you to me may be strictly official, with my military rank affixed to the address, and your own to your signature." I ordered the officers back to their posts. In the course of the same day, namely, on the 28th of August, I received this letter (of which a copy is given above. The letter was given in, read, marked "C," and admitted by captain Reynolds). Immediately on the receipt of this letter I wrote to the adjutant, lieutenant Knowles, to place captain Reynolds in arrest, and I reported that circumstance, and forwarded the letters to the adjutant-general by post on the following Sunday. I shortly afterwards received a letter from the adjutant-general, stating that the commander-in-chief had no alternative but to bring captain Reynolds before a general court-martial. On Tuesday, the 25th of August, 1840, I had a party to dine at my house in Brunswick-square, at which several officers of the regiment were present, and in the evening, the regimental band being present, some of the ladies who dined with me invited

their friends to come in the evening for the purpose of dancing. It was after the dancing had commenced, and after more of the officers had come in since dinner, that a young lady said to me, "I do not see the captains Reynolds present, Why is that?" My answer was, "Because I have not invited them." She asked, "Why did you not invite them?" My answer was, "Because I do not happen to be on good terms with them." And then I added, "I am afraid if you are very anxious to see the captains Reynolds, you are not likely to meet them in my house." Another question was then put, "Why are you not on good terms with them?" to which I replied, "That is a very long story, and I do not wish to go into it at all." The conversation then ceased. This conversation was solely addressed to one person, and carried on in the ordinary tone of conversation, and entirely in reply to the above-named questions.

Cross-examined.—Question put by Captain Reynolds.—Was I not a captain in the regiment when you joined?—The impression on my mind is, that he was a lieutenant and brevet captain in the East Indies; I really cannot say, but such is my belief.

Captain Reynolds said—I propose to put questions respecting the treatment to which I was subjected at Canterbury and Brighton, but if the court be of opinion that I should not, I will refrain.

The court was then cleared, and after some time spent in deliberation, the public were re-admitted.

The judge-advocate intimated to captain Reynolds the determination of the court, that in putting his questions he must confine himself strictly to the charge under their consideration.

Another question was then handed in on the part of captain Reynolds, the nature of which was not publicly stated; but after some private conversation between the president and the judge-advocate the court was again cleared.

Immediately after our re-admission,

The president stated to captain Reynolds that the court had decided that he should not cross-question upon any matter not already before them.

Then, addressing the judge-advocate, he observed, "This decision must be recorded."

Cross-examination continued.—Did you say to the young lady, "As long as I live they shall never enter my house?"—I should say certainly not, to the best of my recollection.

Did you take any steps to ascertain my motives in addressing the first letter?—Certainly not. How was it possible for me to do so without getting into a correspondence?

Did you show the letter to captain Jones before the parade on the 28th?—No, I did not.

Captain Jones was the next witness.

Are you a captain in the 11th Hussars, and do you remember the 28th of August?—Yes, I am a captain in the 11th Hussars, and I remember that day.

Were you next senior officer to the lieutenant-colonel and did you command the squadron at the Pavilion?—I was. I did command that squadron on the occasion you mention.

It was then suggested that captain Jones should give his evidence in the form of a narrative, and afterwards be questioned, upon

which some private consultation ensued, after which captain Jones, by the permission of the court, proceeded to depose as follows:—On or about the 28th of August, 1840, the regiment was on the race-course; captain Reynolds and myself were summoned by the adjutant to Lord Cardigan. Lord Cardigan spoke to captain Reynolds; he told him that he had received his letter, that it was not a proper letter to address to him, and that he should not give him any answer, or that he did not think it necessary to give him any answer; furthermore, he told him that when he addressed him he should address him officially, as colonel commanding the regiment, and that he should affix his own rank to his name.

Who was present on that occasion? — Lord Cardigan, captain Reynolds, the adjutant, and myself.

At what distance from the troops did this take place? — I should think about 150 yards in front of the regiment, but I will not swear to distance.

Thursday, Oct. 1. The president inquired of captain Reynolds whether he was prepared to proceed with his defence.

Captain Reynolds immediately rose and addressed the court as follows: — "Mr. President and Gentlemen,—I necessarily feel embarrassed in addressing you in answer to the present charge, not only from the novelty of the situation in which I am placed, but also from the nature of the charge I am called on to answer. Lord Cardigan says that he is placed in a painful situation as prosecutor; how much more painful and anxious must be my situation when I am here defending myself from a charge affecting my prospects in the army? The prosecutor complains that calumnies have been poured on him by the public press, and that he has been subject to a 'torrent of misrepresentation.' I declare upon my honour that I never, directly or indirectly, have been a party or privy to any publication whatever reflecting on the conduct or character of lord Cardigan. I must observe, that, if the press has published any such falsehoods or misrepresentations, surely this is not the place to complain; and it is impossible to suppose that lord Cardigan has no means of defending himself elsewhere against such attacks. Why or wherefore this topic, so wholly irrelevant to the charge, was introduced, excepting for the purpose of prejudice, I cannot understand. I do not precisely know of what lord Cardigan complains; but I must say he is the only commanding officer in the British army who has been so attacked. I do not consider the prosecutor is justified in stating, that 'the decision of the highest military authority had been pronounced in his favour.' I cannot believe that such a decision ever was expressed in this case whilst it was in the course of being submitted to your judgment. If the observation, therefore, does not apply to this case, why was it introduced here at all? I was prepared as part of my defence with a very large body of evidence, as well that of officers who have been, as of those who now are in the 11th hussars, to prove that lord Cardigan's conduct towards me and to the other officers of the regiment had been very irritating and offensive. I was also prepared to cross-examine the witnesses on the part of the prosecution to the same

effect. The court decided that such evidence on cross-examination was not admissible; to that decision I most respectfully bow. I have still that direct evidence ready, and shall offer it to the court, who will decide whether it is admissible or not. But I am bound in explanation to the court, and also for the benefit of the law advisers of the crown who will have to revise these proceedings, to state the reasons on which I submit, and am advised by my counsel, that this evidence is admissible. Upon the whole evidence as given, each member of the court is to determine two things—first, whether I am guilty or not of the charge; and secondly, if guilty, the amount of the punishment. In the first place, as I shall show that the second letter was written under irritating conduct on the part of lord Cardigan, it is obvious that the degree of irritation materially affects the degree of my offence, if I am guilty of any; and it follows, that provoking and offensive conduct on this occasion is to be measured and judged of by lord Cardigan's conduct on other and former occasions. In that view such evidence is material in awarding the quantum of punishment, if punishment is to be awarded; but this is also evidence, it is submitted, as affecting my guilt or innocence of the charge itself. The question is one as to the admissibility, not as to the effect of the evidence. The court cannot judge of the effect until the evidence is admitted. The true mode of testing whether such evidence is admissible or not is to put an extreme case. Supposing that lord Cardigan had been in the habit of treating my services in India with reproach—that I could show a series of haughty, vindictive, offensive, and irritating conduct on the part of lord Cardigan. I do submit that this is material evidence to be connected with his conduct in the particular transaction, and to prove the motives which actuated him in that line of conduct. Lord Cardigan has in his address stated, that 'we were not on terms,' in order to affix motives to my writing the first letter. If this statement is to have any weight, it seems to follow that his former conduct will account for terms on which we then stood. These observations are addressed by me with the utmost deference and respect to the court, and are points on which I am not able myself to form an accurate judgment. Without farther preface I will at once proceed to state and comment on the circumstances connected with the charge. After having served in India without reproach for ten or twelve years, I returned with my regiment to England in the year 1838. Lord Cardigan had succeeded to the command of the regiment about three months before its departure from India; from that time, with the exception of a few months on half-pay, I have served under his command. I returned in the middle of the month of August to the head-quarters of the regiment at Brighton, from an out-quarter at Chichester. On Wednesday, the 26th, I heard with indignation and surprise, that a report was circulated in Brighton that lord Cardigan, at a private party at his own house, had said, that 'as long as he lived neither I nor captain John Williams Reynolds should ever enter his house.' I trust that I then felt as every gentleman and every man of honour would feel on such an occasion: I felt that such a re-

port uncontradicted was calculated to rob me of my good name, and that it would injure me in my station in society. I felt, and still feel, that such matter came with double force when reported as emanating from my commanding officer, and that commanding officer a peer of the realm. Here I must pause and call upon each individual member of this court to reflect on the nature and effect of such report against an officer situated as I then was. Lord Cardigan had a perfect right to choose his visitors; but neither as a man nor as a commanding officer was he justified in saying that I should never enter his doors again, for that necessarily implies that I had been guilty of some improper, dishonourable, or immoral conduct. A slight quarrel or a shyness might exclude me from lord Cardigan's house for a time, but to say that I never was to enter his doors again was to insinuate strongly that I was no longer fit for that society in which I have hitherto moved, for I had just arrived in Brighton for the first time; those with whom I was likely to associate would readily choose their acquaintances amongst the officers of the regiment from the opinion of the commanding officer; hence I almost inevitably should have been excluded from all society. Of all species of defamation that of insinuation is the most insidious and destructive to character. If it had been reported that lord Cardigan had alleged any specific act, boldly I could have met it, and boldly I could have answered it; but in a dark insinuation of this sort I had nothing to grapple with. Of the effect of such insinuations no man of the world can for an instant doubt. Lord Cardigan must have known that such report would rapidly circulate, and acquire strength and addition in its course. Such were my opinions and feelings upon that subject; and acting on such opinions, and under such feelings, did I write the first letter to lord Cardigan. I owed it to myself, to my family, and to my station, that such report should be speedily contradicted; and I appeal to every man possessed of a sense of honour, whether I did not view that report in its true and legitimate light, and I feel confident that none of the members of this court will even think that I erred in being over sensitive in defence of my reputation and my honour. I certainly do not agree that a man is to feel or to act on the view of captain Jones, according to the quantity of evidence he has to prove the original slander. To my mind the report inflicted the wound. I hoped that on the receipt of my first letter, common justice would have been done me by lord Cardigan. The letter I wrote is before the court; it must be judged by its contents; the court has no other legitimate ground to judge of it. I defy the wit and ingenuity of man to couch a letter in more proper, more polite, or more respectful terms than that letter. I now read it:—

"'*Brighton Barracks, Aug.* 27, 1840.

"'My Lord, — A report has reached me, that on Tuesday last, at a large party given by your lordship, when asked why the captains Reynolds were not present, your lordship replied—'As long as I live they shall never enter my house.' I cannot but consider this report highly objectionable, as it is calculated to convey an impression prejudicial to my character, and I therefore trust your lordship will

be good enough to authorize me to contradict it.

"'I am, my lord,
"Your lordship's obedient servant,
"'R. A. Reynolds.

"'The right hon. the Earl of Cardigan, 45, Brunswick-square, Brighton.'

There can be but one opinion of the letter itself, and I declare that I had no other motive in writing it but what is expressed. It is only by the uncharitable, extraordinary, and forced reasoning of lord Cardigan that any other interpretation can possibly be suggested. Much, if not all, of the future proceedings depend on the propriety or impropriety of that letter; and so the prosecutor undoubtedly felt in framing the charge, and in his opening address, from the labour he used to prove it to be improper. I might have spoken to lord Cardigan; but I submit that a written communication is better, as being more respectful and less liable to be misunderstood, or to give rise to angry feelings. Is it derogatory to a man in any station to do justice to another whom he has wronged, or supposed to have injured? A commanding officer with any sense of justice would have denied, justified, or explained such a report, according to the truth; but this lord Cardigan never thought of doing. It will be for the court to judge whether or not lord Cardigan's refusal to answer proceeded from a just and a proper motive. I know of no principle or rule of the service which prevented my writing, or lord Cardigan answering, this letter. Such a rule would be repugnant to every feeling of justice, and would be destructive of the honour and independence of the officers of the army. Surely I must now have most fully satisfied every hon. member of this court of the propriety of my first letter, and the impropriety of lord Cardigan's not answering it. I would submit to your better judgment, that the feelings of justice, ay, of duty, would, and ought, to have prompted him to have placed in my hands the most ample contradiction to such report. Still stronger and more urgent was such a line of conduct on his part if we were not on terms, as lord Cardigan suggests; for in that case there would be more reason to believe the truth of the report. The court must bear in mind that I never charged lord Cardigan with uttering those words, but merely pointed out to him that such a report was in circulation, and asked him to be good enough to authorize me to contradict it. If I am then to take it that lord Cardigan never used those words, and might easily have denied the report, how am I to characterize his conduct to me on parade on the morning of the 28th of August? To say that it was unjust and most tyrannical is using but gentle terms. With the means of contradicting that report, and removing unjust aspersions from the senior captain of his regiment, without a word of advice, a word of explanation, without a word of contradiction, he tells me, where I have no power of answering, that he is my commanding officer, and that my mouth must be closed. According to lord Cardigan's evidence, no explanation need have accompanied the denial which he ought to have given. How then, I ask, is it possible that any correspondence could have ensued? It is a gratification to me that I am relieved from the necessity of calling before you the young lady

with whom lord Cardigan held the conversation. I did not charge lord Cardigan with having used the words, I stated, and shall prove, that such a report was in circulation. The strength of my case and my justification for writing the second letter consists in lord Cardigan never having used the words, and contemptuously refusing to do me the commonest justice in the world when the report was respectfully brought to his notice. It seems, however, doubtful upon the evidence whether lord Cardigan used the words or not. He does not in his evidence give an unqualified denial thereof, but says, "that to the best of his recollection" he did not use them. It seems odd that words of such a nature and import should so soon escape the recollection of lord Cardigan, more particularly as his attention was especially called to them within three days after the event, and his memory seems retentive as to some words he used in that conversation. It is worthy of observation that the first letter was shown by lord Cardigan to captain Jones after the parade, and before the conversation at the pavilion stables on the 28th of August. When he showed the letter to captain Jones, with the matter quite fresh in his recollection, he does not appear to have denied the expressions imputed to him. The court will recollect an extraordinary expression used by captain Jones in his evidence — that 'I could not prove the words.' The court must judge whether captain Jones's memory is accurate when he states those words to have been used in the conversation coming from the field. It is much more probable they were used, as I assert, at the pavilion stables; and if so, the just inference is, that lord Cardigan never denied the words to captain Jones, but merely said that the words were incapable of proof. And I ask you again why, on that occasion, if lord Cardigan had not used the words, as a man of honour and a gentleman, did he not state so to captain Jones? Had he done so, captain Jones could scarcely have failed to communicate that to me, and then there would have been an end of the matter. It is not material to my case that lord Cardigan should have used the words. If lord Cardigan did use the words imputed to him, even in his ordinary tone of voice, it was very improper conduct on his part, and still more improper was it in him when invited by a temperate and proper letter, which he might have used officially or not, as he thought fit, not to avow them, and refer me to the Horse Guards at once, and then none of that dreaded correspondence—that 'personal, if not hostile, collision,' should have ensued. That such should have been the conduct of lord Cardigan I doubt not will be the opinion of every unprejudiced mind. Instead of that, the scene which has been detailed to you on the parade on the morning of the 28th of August took place. I was indeed much surprised at the line of conduct of lord Cardigan. It seems, likewise, to have astonished both captain Jones and the adjutant; for the former tells you he looked the other way, and the adjutant galloped back to his place as quickly as possible. I ask why was the parade selected for this communication? It is the practice of lord Cardigan, since he has commanded the regiment, to compel the silence of officers upon any observation made

by him to them when called out of the ranks in front of the regiment. Although I felt the tone and manner of lord Cardigan to be offensive and irritating towards me, I could not offer a word of explanation. Can lord Cardigan for that reason have selected that place? If not, why did he not either before or after parade, at the orderly-room, or some other place, in the presence of those officers, make the communication to me, when I might have explained and justified that first letter? But lord Cardigan's conduct was unjust to me; because he denounced the first letter as of a very improper nature without hearing my reason for writing it. Without the opportunity of hearing me, and having pronounced the first letter to be of a very improper nature, he then ordered that in future all communications from me to him should be strictly official. This, I submit, was at once to order me not to address him at all on the subject of this report. How could I address him officially even if he had privately spoken disrespectfully of me? It was impossible so to do on the mere report then in circulation. The report which attributed to lord Cardigan the words in question was emphatically of a private nature. My inquiries on that head must, I conceive, have been private, or not made at all. This report concerned not the public service or military discipline. The decision of lord Cardigan on parade was to condemn me unheard to submit to the ruinous consequences of that report. This line of conduct necessarily had the effect of wounding my feelings. Here the regulations of the service are explicit, for they provide, pp. 108, 'That every officer, who has had the benefit of experience in the service, must be sensible of the effect produced on the inferior by the mode in which either reproof or encouragement is conveyed. Whenever the former become indispensable, the commanding officer should be cautious of unnecessarily wounding the feelings of the individual by the use of harsh language, or a severity of tone, which the circumstances or extent of the fault or the error committed may not call for, or by exposing him before his inferiors, or even his equals, unless the character of the fault shall call for public reproof. An admonition conveyed privately will always have more effect on the individual who has proper feeling and a due regard for the maintenance of his own character; and if he ceases to have that regard for it, or if he feels it to be wantonly lowered in the estimation of others, he will become reckless, and will cease to entertain for those who are set over him the respect which he no longer feels for himself. Approbation, on the other hand, should, when it is merited, be expressed without reserve, and the individual receiving it should not only be gratified by such open manifestation of the approbation and goodwill of his superior, but it should have the effect of encouraging others to adopt the conduct which has obtained it.' Such are my observations which I present to you on the subject of lord Cardigan. Whether his eulogy on his own judgment was deserved or not is a matter for your decision. I then considered, and do consider, and always shall consider, that lord Cardigan's conduct to me in this matter was most arbitrary and tyrannical. Under these feelings I wrote the second

letter. This does not depend on my statement, for captain Jones has already told you how grossly I felt myself insulted. Much is due to subordination on the part of an inferior to a superior officer; but there are extreme cases when submission ceases to be a duty. If my superior officer attempts to stab me, am I to submit, or to raise my hand to disarm him? If my superior officer secretly attempts to stab me in that which is dearer than my life, am I not justified in disarming him by expressing in a strong and a forcible manner the opinion I entertain of such conduct, provided I do so at a time and in a manner not to excite other officers or men to acts of insubordination? Your decision very deeply affects the honour and independence of the officers of the British army. An officer compelled to leave unnoticed such an aspersion would necessarily lose his station in society, and would soon be obliged to abandon the army. If he attempts to ward off an injury, is he to be charged with impropriety of conduct—must he be sent before a court-martial? If he exercises the privilege of every sufferer, is he to be deprived of his rank? If under such difficult and maddening circumstances, he happens to use some very strong expressions towards his prosecutor, is this the justice which is to be the lot of the officers of our brave army? Is the laurel of our veterans won by a life of honour and of danger, thus in a moment to be blasted for ever? Scan not my letter too closely—that was the offspring of excited feelings; but look carefully at the conduct of lord Cardigan, for that, according to his statement, was the result of reflection. The army looks with intense anxiety, the public also take a lively interest in your proceedings, for they watch over the conduct and character of those who have been their defenders against foreign aggression, and their protectors in times of civil commotion, and they will look with a vigilant eye to the result of this case, for all mankind are united in one point—in the horror of oppression. Up to this time, whatever annoyance I had suffered at the hands of lord Cardigan I had borne from a sense of duty; but when his oppressive conduct was pushed to the extreme, my patience was exhausted—my feelings overcome. And I hope by your verdict of 'not guilty,' you will prove to lord Cardigan that wealth and rank do not license him, although the commanding officer of a regiment, to trample with impunity upon honourable men, who have devoted their lives to the service of their country."

Captain Reynolds, throughout his address, maintained great firmness and self-possession, and at the close was greeted by the applause of many in the court.

The president, with some warmth, declared he would have no such ebullitions. If anything of the kind again occurred, he should order the court to be cleared instantly.

The written statement of captain Reynolds was then given in, received, and marked F.

Lieutenant Cunningham, of the 11th hussars, was the first witness examined for the defence.

Are you a lieutenant in the 11th Hussars?—I am.

Did you hear a report on the 26th of August relating to me?—I did.

What was the report you heard?

—When I was at the band a young lady asked me whether I heard any conversation at the earl of Cardigan's party the night before? I said no; and I naturally asked what it was. She said she had heard a lady ask lord Cardigan why it was that the captains Reynolds were not at his house? She asked him twice, when he replied, "They shall never enter my house as long as they live."

Did you tell me this?—I told you of it when you came into my room at 6 o'clock, on the evening of the 26th of August last.

Cross-examined.—Was any person present at this conversation with captain Reynolds, and if so, who?—My brother-in-law, Mr. Lewis.

Was any one else there?—Nobody else was then.

Have you stated the whole of what you heard from the young lady, and repeated to captain Reynolds?—Yes, to the best of my belief.

Did not the young lady say, that she thought the lady must have known that lord Cardigan was not on terms with the captains Reynolds?—She did.

Did you tell captain Reynolds that she said so?—I cannot say that I did.

What did captain Reynolds do, when you told him this report?—He went out of my room.

Did he appear much concerned or excited?—Not at the time.

Did he not laugh?—I cannot remember if he laughed or not.

Did captain Reynolds speak on this subject on the following day?—Yes, he said he would write to lord Cardigan and ask him to allow him to contradict the report.

Have you never stated that captain Reynolds made no remark but laughed when the report was first communicated to him?—I believe I made some remark to major Jenkins.

Question repeated—I made some remark to major Jenkins, but I do not recollect what it was.

Was your remark to major Jenkins about captain Reynolds having laughed?—No; I went immediately and told the whole story to major Jenkins.

Did you give your statement in writing to major Jenkins and sign?—I did.

The cross-examination having closed, captain Reynolds, as we understood, put in a question, to which exception appeared to be taken by some members of the court, and strangers were ordered to withdraw.

The Court then adjourned for a few minutes, after which

The Judge advocate stated that on the question put by lord Cardigan, "Is this the statement which you signed?" captain Reynolds had objected against any written statement being put in by lord Cardigan.

The decision upon this point, pronounced by the court during the absence of the public, was, that the statement was not valid. The statement was, therefore, put in; it was as follows:—"I was sitting in my room with Mr. Lewis, the day after lord Cardigan's ball, on Wednesday, the 26th of August, when captain R. A. Reynolds came in. The conversation turned upon lord Cardigan, when I said, 'He is not very fond of you, for when at the band in Sussex-square, a young lady made an observation to me, 'what a very curious woman Mrs. Cunningham is,' I asked 'why?' She then said, 'I heard Mrs. Cunningham ask lord Cardi-

gan several times why the captains Reynolds were not at his party, lord Cardigan gave her no answer for some time, at last he replied that they should not come to his house as long as they lived.' The young lady then said she thought Mrs. Cunningham must have known that he was not on terms with them. This conversation occurred about six in the afternoon, when captain Reynolds made no remark, but laughed. On the following day he came into my room when Mr. Lewis was present, and said he must take notice of what I said the day before. He told me he should write to lord Cardigan that day. I merely mentioned this in the course of conversation, not supposing it would go any further, as captain Reynolds, when I mentioned the matter, did not appear to consider the observation offensive. (Signed) JOHN CUNNINGHAM, lieutenant, Prince Albert's Hussars. Brighton Barracks, September 30, 1840."

Is this paper the one which you signed?—It is.

Having heard that paper read, are you of opinion that it is a correct account of what passed between you and captain Reynolds upon the occasion referred to?—It is.

When did major Jenkins ask you these questions?—When I was in his room, on the 27th of August, the next day.

Had major Jenkins more than one conversation with you on this subject?—Yes.

How many, when, and what were they?—He told me that he was desired to ask me for a written statement of what took place. I had more than one conversation with major Jenkins. The second happened two or three days after the first. On the second occasion he told me that he had been desired to ask me for a written statement of what had taken place.

Did major Jenkins tell you that he was requested by lord Cardigan to ask you these questions?—He did.

By whom was the statement written?—By major Jenkins.

Were you told the statement was to be used publicly?—No.

Did major Jenkins give any reason for asking of you this statement?—None.

What is your age?—I shall be twenty the 4th of December.

Lord Cardigan then obtained permission to ask, who corrected that statement?—My brother-in-law, Mr. Lewis.

By the court.—Were these corrections made by your concurrence, and when?—At the York hotel, on the same day on which the paper was written; they were made with my concurrence.

Did you consider your first conversation with major Jenkins official or private?—Private.

Was any opportunity given you of refreshing your memory by the statement being shown to you at any time?—No.

Did you repeat the report to captain Reynolds concerning him on the 27th?—I did.

A question was then handed to the court by lord Cardigan.

Did you tell major Jenkins that you considered that conversation private?—No.

Major Morse Cooper, being duly sworn, deposed as follows:—

Are you a major unattached, and were you in the army since the battle of Waterloo?—Yes.

Were you any part of that time in the 11th Light Dragoon —Twenty-one years.

During what part of the time did you serve under lord Cardigan?—About eighteen months.

A question was then put in by captain Reynolds, respecting which the court wished to deliberate, and the public were therefore excluded for some time.

The following decision of the court was then read to captain Reynolds:—

"The Court having fully considered the question put by you, are of opinion that it is inadmissible, and they therefore reject it. The court at the same time wish to convey to you their desire, that in putting your questions you will confine yourself to the circumstances upon which this charge is founded, for they do not feel themselves authorized, under the royal warrant, to permit any departure from this rule. They are disposed to allow you every reasonable latitude consistent with their own sense of duty, and with the limits prescribed to them by the warrant from the crown under which they are now assembled."

Examination of Major Cooper resumed.

When did you first know captain Reynolds?—I first knew captain Reynolds when he formed part of a detachment under my command on board ship in 1831.

During the time you were in the regiment had you opportunities of observing his character and conduct as an officer and a gentleman.—Frequently.

What is his character and conduct with reference to his regimental duties and with regard to his deportment towards his superior and commanding officers?—I have had every reason to think captain Reynolds a man of the highest honour and strictest integrity—a man of the most gentlemanly bearing; and most active and zealous in doing all that could be required of him; in my estimation he was a man incapable of an insubordinate act, unless under some peculiar circumstances.

Monday, Oct 5.—The Judge-Advocate called upon the prosecutor to proceed with his rejoinder.

The Earl of Cardigan then rose and addressed the Court in a written statement as follows:—Mr. President and Gentlemen,—I have to offer my acknowledgments to the court for their courtesy to me in adjourning at a comparatively early hour on Saturday, so as to afford me leisure to prepare my reply. The shortness of the time which I have ventured to seek at their hands must be my apology, if any want of arrangement, or carelessness, or obscurity of expression, should be detected in the remarks which I am about to make upon the prisoner's case. Wilful disregard of any material topic urged by him there shall be none; and any accidental omission I shall trust to the candour of the court to excuse. and to their intelligence to supply, Before, however, I proceed to observe upon captain Reynolds's address, or the evidence which he has adduced in answer to the charge, let me first clear away any misapprehension which it has been attempted to create on a matter which, though in no way bearing upon the question before you, to which it is purely collateral, is yet not without interest to me, as intended, in the absence of a simple and satisfactory explanation, to cast reflections upon my conduct, and that of another officer, major Jenkins, in the eyes of the public—I refer, of course, to the written statement of what passed

at a certain interview between captain Reynolds and lieutenant Cunningham on the 26th of August. Captain Reynolds has complained, though without any very distinct explanation of the grounds or nature of his complaint, of the mode in which that statement was obtained, and of the use which has been made of it. Lieutenant Cunningham's own account of the transaction was, like the greater part of his evidence, so confused and uncertain, that no great reliance can be placed on its accuracy. First of all, when asked in cross-examination (before the written document had been produced) whether he had never stated that "captain Reynolds made no remark, but laughed when the report was first communicated to him," he answered (and I beg the court to mark the words), "I believe I made some remark to major Jenkins." He then goes on to say, that his remark to major Jenkins was not about captain Reynolds having laughed. Now up to this point would any one who heard him have supposed that he had dictated a statement of the whole interview to major Jenkins, which that officer had on a future day, in his presence, reduced to writing, which he had himself signed, and which had also, with his concurrence, been duly corrected and verified by his brother-in-law, Mr. Lewis? And yet such soon afterwards turns out to have been the case. Then, again, the impression resulting from the earlier part of his evidence is, undoubtedly, that major Jenkins had come to him for information by my desire, whereas towards the conclusion it clearly appears that he went in the first instance to major Jenkins, to whom he volunteered the narrative of what had occurred. Then he says, he considered the first conversation with major Jenkins private (though he admits he did not tell him so), but he does not pretend that the second conversation, when the substance of his communication was written down, signed, and attested, was ever, even by himself, considered as private. How, indeed, could it be so? The major of a regiment, having received information, which he thinks material, upon a subject concerning the affairs of the regiment, communicates that information, at the request of the person giving it to the commanding officer. For the information of the commanding officer, that statement is reduced to writing, and signed, corrected, and verified by the parties from whom it emanated. Did any one ever hear of a paper so drawn up and attested, being intended as private and confidential? Is it not obvious that it was meant for the use and information of the person to whom it was to be handed—that is myself? But lieutenant Cunningham goes on to say, that "he was not told that the document would be used publicly." Certainly he was not, and for an obvious reason—that it never was meant to be used in public, as I never supposed that Mr. Cunningham would have varied from it in his evidence before the court; and it was not until his memory appeared to have failed him upon some important points contained in that statement, that it was put into his hands for the express purpose of refreshing his recollection—when, upon an objection being taken by captain Reynolds, the court, after deliberation, ordered it to be read by the Judge-Advocate; which having been done, lieutenant Cunning-

ham at once assented to the accuracy of its detail of what had really occurred at the interview between himself and captain Reynolds. The court has now had the benefit of major Jenkins's examination as to part of the circumstances under which the statement was originally made and written. He tells you that lieutenant Cunningham came to him to ask him to intercede with me regarding what he had said to captain Reynolds, as he was afraid that I should be angry with him. It seems that in consequence of the major's absence at Canterbury, he was unacquainted with what part lieutenant Cunningham had acted in communicating to captain Reynolds the conversation which he had held with a young lady at the band in Sussex-square. I was myself also equally ignorant of the share which lieutenant Cunningham had taken in the transaction. Major Jenkins therefore desired that the conversation might be put in writing, in order that there might be nothing erroneous in the narrative of these circumstances, which he was requested by lieutenant Cunningham to lay before me, with a view of deprecating my resentment of his certainly indiscreet conduct. Lieutenant Cunningham himself says, that he was to make the statement for me; he adds, indeed, that major Jenkins said that it was by my desire. The incorrectness of the latter part of this assertion is shown by the evidence of major Jenkins; but let that pass for the present. It is clear, that whether by my desire or not, it was for my use and information, to be dealt with as circumstances should afterwards demand, as a memorandum for my own information at the time, to assist me in my cross-examination of lieutenant Cunningham if he should appear as a witness before this court, and to refresh his memory, or possibly to correct it, if it should prove defective — in other words, to enable this court to arrive at a true and accurate knowledge of what really passed when this report first reached captain Reynolds's ears: and all these purposes it has accordingly answered. But the suspicion of any unfairness in the transaction, which is vaguely imputed to me or to major Jenkins, for even to which of us is left uncertain, by captain Reynolds, in procuring and using this paper, rather than in definite terms, or for any specified reason attempted to be substantiated against either or both of us—the suspicion, I say, is sufficient to make me anxious to rebut it, not merely by argument, but by evidence; and I should therefore, if the court should think further explanation desirable, be ready to call major Jenkins to acquaint you that, when he received this paper, he understood it to be intended for my use and information, and that I was at full liberty to avail myself of it for every purpose I might think expedient. That lieutenant Cunningham should have considered his first conversation with major Jenkins private is unfortunate, and I cannot but think, under all the circumstances, not a little extraordinary; still more unfortunate is it that he never hinted as much to major Jenkins. But surely, even lieutenant Cunningham himself cannot regret that by the production of the document of which I am now speaking, he has been enabled to supply many most material omissions in his original evidence. But, then, it is said that I

or major Jenkins ought to have allowed lieutenant Cunningham to see the paper to refresh his memory before he was examined. It is not true, however, that any facilities have been withheld from lieutenant Cunningham which would have enabled him to read over this paper in ample time for him to refresh his memory by it before he was examined. I should be able to show by the evidence of major Jenkins, if the court thought it necessary to examine him any further, that though some little delay occurred (in consequence, probably, of the major's illness) after lieutenant Cunningham's first application for a copy of the paper, yet that, so long ago as the morning of Monday or Tuesday last, major Jenkins personally informed lieutenant Cunningham that he had a copy of it ready for him whenever he chose to send for it, a fact which lieutenant Cunningham has unfortunately forgotten; and you have it already in evidence from major Jenkins, that when Mr. Cunningham's servant came for the copy on Thursday morning last, it was immediately delivered to him before 11 o'clock, the hour at which the court was to assemble. It certainly appears that, either through the negligence of the servant, or the indifference of lieutenant Cunningham, that letter was not actually placed in his hands till the close of his examination; but it would be hard indeed that either I or major Jenkins should suffer for the default of others. Now, first as to the witnesses whom captain Reynolds has called as to the charge, contradistinguished from those to character, of which latter class it will not be necessary for me to speak. The first witness was lieutenant Cunningham, of whom the court has already heard so much, and who appears to have been the first person who communicated to captain Reynolds the report complained of in his letter. Now, what does this witness say which in any way affects or qualifies the charge? All that he proves, or is called to prove, is, that the report was actually communicated to captain Reynolds on the 26th of August. This has never been doubted or disputed. No one has ever suspected captain Reynolds of inventing the report for the purpose of founding upon it his demand for its contradiction. The charge is, that having heard that report, captain Reynolds took an improper mode of noticing it, and eventually, upon this being signified to him, broke out into the insubordinate and offensive letter which is mainly the subject of the charge. Does the evidence of lieutenant Cunningham throw any doubt upon this? Does it contain any palliation? Does it suggest any excuse for the offence? Captain Reynolds speaks of the "indignation and surprise" with which he first heard this report, as justifying the course he took in consequence. Now, lieutenant Cunningham, who was the first to tell it, would be the best witness to prove the existence of these emotions, if any such were to be traced at the moment of its communication. What does he say on this head? Does he speak of captain Reynolds's transports of indignant surprise? On the contrary, he says that he "made no remark, but laughed," he adds, "I merely mentioned the report in the course of conversation, not supposing it would go any further, as captain Reynolds, when I mentioned it,

did not appear to consider the observation offensive." Now, I would only ask of the court whether this presents any appearance of those indignant feelings of which captain Reynolds speaks, and which, though far from affording any excuse for the conduct which he pursued, are yet put forward by him as the grounds of his justification. On the contrary, he treats the matter lightly, with a laugh; and it is not till the next day, and after communication, and perhaps consultation, with those friends to whom he stated his intention to demand, and the fact of his having demanded, an explanation at my hands, that he becomes so excited as to write the letter which forms the first step in this transaction, and which I still believe, if it had been replied to in the only way in which I could with truth have answered it, would have formed the prelude to other and more irregular proceedings. I have now stated to the court the whole of lieutenant Cunningham's evidence, and, I hope, succeeded in showing that it offers no palliation for captain Reynolds's offence, and that if any such is to be found in the evidence, it must be looked for in the only other witness examined in answer to the charge—Captain John William Reynolds. What then is his testimony? He says, "You appeared to feel the strongest indignation at the report, and repeatedly expressed that you considered it was calculated to injure you." This was on the evening of the 26th. Now let this statement have its full weight with the court, if they should think that it deserves any, with reference to this charge. But surely there is one circumstance which must strike every one who heard that evidence with surprise, viz., that the witness who was also by this time cognizant of the report, who was equally prejudiced by that report with the prisoner, who was in communication with him upon it that very evening, who was privy (as he has himself told us) to the prisoner's intention to demand a denial of the alleged words at my hands, and was afterwards acquainted with the fact of his having done so, should, if the feelings of "indignation and surprise" which that report was calculated to excite in every man of sensitive honour were so poignant, have taken no step to set himself right with the society of Brighton, and should never have thought of following the course resolved on by the prisoner. Why do I make this observation? Because surely captain John Reynolds's conduct, under the same circumstances, is the best commentary upon that of the prisoner, and very plainly expresses his condemnation of a course which he very properly declined to imitate. This, then, is the whole of the evidence for the defence. Am I wrong when I say, that with reference to this charge, it amounts to nothing? I will then turn to the prisoner's speech, and endeavour to discover whether it contains any valid argument on his behalf. Passing over for a moment the personal attacks upon myself with which it abounds, I will first refer to such parts of it as are addressed to the charge which it professes to answer. I believe that I am not stating captain Reynolds's argument unfairly, when I say that he rests his whole case upon the propriety of his first letter to me, and my injustice and tyranny in declining to return any answer to it. How far the court may be of opinion that, even if both points

were determined in his favour, they would furnish, I will not say any defence, but any reasonable palliation of the second letter, is another question which it does not become me to discuss; but I fear I must still trouble them with a few words in addition to what I said in opening the case upon these points, which will I trust satisfy them, both that the first letter of captain Reynolds was an improper letter; and secondly, that I took, as I am sure I meant to take, the proper course in forbearing to reply to it. I regret this necessity the more, because captain Reynolds has already cavilled at the length of time I dwelt on this question when I had last the honour of addressing you. Captain Reynolds denies that that letter was written for any other purpose than that which appears on the face of it—viz., to obtain from me authority to deny the truth of the report; he must of course, therefore, have believed it to be unfounded; for if he considered it true, to write for a denial, was in fact to provoke an avowal, which is the intention that I have already ascribed to him, and which he repudiates. He would have the court believe, therefore, that he considered the report unfounded. How stands the evidence on this point? Why, that in his conversation with captain Jones on coming off parade next morning, so far from admitting its falsehood or even uncertainty, he told that officer that "he could prove it." If he could prove it, how could he have expected that I should deny it? Am I wrong, then, in refusing to believe that he had any such expectation? But he says now, that after the statement of what really passed at the evening party at my house on the 25th of August, contained in my opening address in this prosecution, I might have perfectly well denied the report without any explanation, and so prevented all ill consequences. I have already stated to the court on a former occasion why I could not have felt myself justified in denying the terms without avowing the substance of the alleged conversation; and I feel confident that every honourable mind will agree with me in thinking that such a course would have been more like evasion than honesty. Nor after all the fine-drawn distinctions which captain Reynolds has put forward between the two phrases "they shall never enter my house," and "I fear you are not likely to meet them in my house," the latter of which he seems to think harmless, while the former he pronounces utterly destructive of his character, his honour, and his station, can I bring myself to discover any such material difference between them, except in coarseness of style, as would enable any honourable man to deny without a subterfuge the one, when he had, in fact, made use of the other. And very sure I am, had I accompanied my denial of the one expression by an avowal of the other, Captain Reynolds himself would have been the last man to comprehend the difference between the two. If any prejudicial effect to any man's character or reputation was likely to follow from either, it must have been implied in his exclusion from my house and society (an admission which, by the by, I never before understood to be so valuable), and surely therefore, as such exclusion is conveyed in both the phrases abovementioned, both that used and that reported, the injury inflicted by

either must have been very nearly on a par. But captain Reynolds does me far too much honour in supposing that in case of a difference between me and another person, the world is sure to lay the blame of it at any other door than mine. A few words in reference to the generally offensive and tyrannical conduct which captain Reynolds is pleased to impute to me? And then I will conclude. Upon this subject he has in his defence said much, though he has proved nothing. He instances indeed my tone and manner upon parade on the morning so often referred to as "offensive and irritating," and describes its effect upon him as "maddening and goading him beyond the bounds of patience;" and, he adds, that captain Jones and the adjutant must have observed it. How happens it, then, that when he had both these officers under cross-examination, he never bethought himself of asking them that question, which, if his statement be true, would at once have afforded some palliation for his excitement, and (what he would no less rejoice in) have exposed me to censure? Not a question, however, does he put in the remotest degree bearing on the point, and when he had the means of proving this allegation, if it were not unfounded, and yet declined to use them, I think I may fairly claim credit for temperance and calmness of tone and manner beyond his power to impugn. From his failure to prove this assertion, of which the means were within his reach, the court may judge what credit is due to captain Reynolds's other allegations, which you have decided to be irrelevant to this trial, and have therefore declined to entertain. He has accused me of insulting and irritating conduct in the regiment generally, and especially of arbitrary and tyrannical, haughty, offensive, and vindictive deportment to himself, ever since I have been in command of the regiment. As no evidence of these accusations has been given, I may content myself with a simple denial of the fact asserted. I might perhaps remind captain Reynolds, on the other hand, of services done by me to him. When he speaks of his services in India having been treated by me with contempt and reproach, how will he reconcile that statement with the fact, that after his return from India, I spared no pains to reinstate him in the regiment; and that in the face of many difficulties, and to the disappointment of other officers, it was to my strenuous exertions on his behalf that he owes that position in the regiment (without purchase) which he has held up to this moment? Does this look like undervaluing Indian services? Is it the conduct of one who is held up falsely to the public as speaking contemptuously of Indian officers? But this is only one instance out of many of the exertions I have used in support of those Indian officers whom I am charged with affronting, and whom, or whose services, I declare that I have never by word or action treated with disrespect. I might refer to the friendly offices which, till his own conduct made them no longer possible, I have had pleasure in rendering him. But I desist, captain Reynolds says, that our not being on terms must necessarily have arisen from my conduct towards him. So far from that being the case, it is the result of a long system of unbecoming arraignment of my conduct, and insubordinate

and disrespectful treatment of my authority, which he has of late pursued. One other observation only of a personal nature will I notice, and that partly because it is put forward, however absurdly, as a justification of his letter, and partly because I acknowledge the fact referred to, as he exultingly repeats in his defence, to be true—I mean the reference made to certain circumstances which took place between myself and Mr. Brent, or, as captain Reynolds terms him, "the miller of Canterbury." It is quite true, I confess, that upon some *fracas* between a party of the officers of the 11th Hussars and that gentleman, I did, under a belief, which I then entertained, that they were not the aggressors, step forward and offer to take upon myself the responsibility of their conduct rather than give up their names; but no one knows better than captain Reynolds, who was the senior officer of that party, and he should have been the last man in the world now to taunt me with the transaction, especially when he remembers the load of public obloquy I encountered on that occasion in behalf of those officers. But I forbear from further comment. I have endeavoured throughout this prosecution to discharge my duty, however inefficiently, to the service to which I belong. The rest remains with you, Sir, and the other members of this honourable court; and in leaving the case in your hands, I will not follow the prisoner's example by reminding you that the eyes of the public are upon you, because that is a consideration which I should be as ashamed of urging, as you would of being influenced by. But I leave the case in the fullest confidence that your decision upon it will be such as, while it does justice to all parties, will insure the welfare and efficiency of the regiment I have the honour to command, promote the interests of the service, and maintain the good order and discipline of the British army.

The paper was then signed and handed to the Judge-Advocate, by whom it was received, and marked "P."

The court was then cleared, and the members having remained in deliberation for about twenty minutes, the doors were again thrown open.

The Judge-Advocate, addressing lord Cardigan, inquired if he, as prosecutor, wished to produce any evidence in support of the reply which he had just read?

The Earl of Cardigan said, that unless the court wished him to do so, he should not produce any further evidence.

The Judge-Advocate—The court has decided against giving any opinion upon the point, and will leave your lordship to pursue your own course.

The Earl of Cardigan.—As the court has not asked for any further evidence, I shall not press them to prolong their proceedings by offering any.

The Judge-Advocate.—This inquiry is now over. The public proceedings of the court are at an end, and any deliberations which the members may think necessary will be carried on in private.

The public were then excluded, the doors closed, and the court continued in deliberation till nearly 12 o'clock.

We understand that on leaving the court captain Reynolds complained to his friends of the inaccuracy of that particular portion of lord Cardigan's speech in which his lordship represented captain Reynolds to have attained his present position in the regiment with-

out purchase owing to his friendly offices, the fact being, as the *Gazette* of the 17th of March, 1837, would show, that Lieutenant R. A. Reynolds had purchased his commission, *vice* Butcher, who retired. Lord Cardigan hearing of this complaint immediately expressed his regret that he should have fallen into the error, and consulted with the Judge-Advocate as to the best means of correcting it. His lordship volunteered to write a letter officially, to apprise the court of the mistake. The Judge-Advocate of course conveyed this communication to the court. Subsequently, however, and after the court had been deliberating some time, lord Cardigan discovered by the books of the regiment that his original statement was correct. The following is the entry in the regimental order-book:—11th Light Dragoons.—Captain R. A. Reynolds, from half-pay of the regiment, to be captain, *vice* White, promoted in the 3rd Light Dragoons. Dated January 4, 1839." Record of officers' services.—"Captain R. A. Reynolds to be captain, 11th Dragoons, January 4, 1839, without purchase."

The decision of a military, unlike that of a naval court-martial is not announced, but immediately transmitted to the Horse Guards. The sentence of a military court-martial has no force or effect till it receives the confirmation of the Crown.

The following sentence has since been promulgated from the Horse Guards:—

GENERAL ORDERS.
Horse Guards, 20*th Oct.* 1840.

At a general court-martial, held at Brighton Barracks on the 25th of September, 1840, and continued by adjournments to the 5th of the following month, captain Richard Anthony Reynolds, of the 11th (Prince Albert's Own) Hussars, was arraigned upon the undermentioned charge, viz.:—

"For that he, captain Richard Anthony Reynolds, having at Brighton, on the 27th August, 1840, written, and sent a letter to lieutenant-colonel, the Earl of Cardigan, of the same regiment, his commanding officer, of an improper nature, and being thereupon personally ordered by the said Earl of Cardigan, as his commanding officer, to the effect following, namely, 'That all letters addressed to him by captain Richard Anthony Reynolds should in future be strictly official;' nevertheless the said captain Richard Anthony Reynolds, in direct violation and disobedience of such order by his commanding officer, did on the same day, viz., the 28th August, 1840, write and address to him, lieutenant-colonel, the Earl of Cardigan, a most disrespectful, insubordinate, offensive, and insulting letter, imputing to him conduct calculated to excite him to depart from his duty as commanding officer."—[The letter is already familiar to the public.]—"Such conduct, as aforesaid, being in the said captain Richard Anthony Reynolds unbecoming an officer and a gentleman, prejudicial to the interests of the service, subversive of good order and military discipline."

Upon which charge the court came to the following decision:—

"The court, having duly weighed and most maturely considered the whole of the evidence adduced on the part of the prosecution, together with that advanced by the accused in support of his defence, is of opinion that he, Captain Richard Anthony Reynolds, of the 11th (Prince Albert's Own) Hussars, is *Guilty* of the charge exhibited against

him, which being in breach of 'The Articles of War,' the court does in virtue thereof sentence him, the said Captain Richard Anthony Reynolds, of the 11th (Prince Albert's Own) Hussars, to be *Cashiered.*

"The court, having performed its duty, cannot separate without recording its opinion on the following points of evidence:—

"In the course of the evidence to character, witnesses have stated, that they considered the accused was incapable of insubordination without some extraordinary causes of provocation; or unless under provocation which no man of honourable feelings could endure: thus apparently sanctioning the idea, that there might be circumstances of private irritation which would justify a soldier breaking from the established order of military discipline,—a doctrine so totally subversive of the fundamental principles by which all armies are governed, that the court feels called upon to stamp it with marked reprobation."

Her Majesty has been pleased to approve and confirm the finding and sentence of the court.

The general commanding-in-chief directs, that the foregoing charge preferred against Captain Richard Anthony Reynolds, of the 11th (Prince Albert's Own) Hussars, together with the finding and sentence of the court, and her Majesty's confirmation thereof, be entered in the General Order Book, and read at the head of every regiment in her Majesty's service.

By command of the right hon. General,

LORD HILL,
Commander-in-Chief.

J. MACDONALD,
Adjutant General.

DOCTOR LARDNER'S CASE.

This cause, which had created so much interest for several months past among the literary and fashionable circles, came on for trial before Mr. Baron Gurney and a special jury, composed of the resident gentry of the county of Sussex, at the town-hall, Lewes, on Saturday, August 1st.

The most intense interest was taken in the proceedings, and long before nine o'clock, the hour at which the trial was appointed to take place, the doors of the county hall were besieged with an anxious crowd, and, as soon as the public were admitted, every corner of the Nisi Prius Court was inconveniently filled. A number of ladies, and among them the distinguished persons who were called as witnesses for the plaintiff, sat upon the bench, in addition to several of the leading magistrates.

Mr. Thesiger, with Mr. Platt, and Mr. Petersdorff, appeared for the plaintiff; and Mr. Sergeant Channell and Mr. Clarkson for the defendant.

Mr. Petersdorff stated, that the action was brought by the plaintiff, Richard Heaviside, against the defendant, Dionysius Lardner, to recover compensation in damages for the loss and injury the plaintiff had sustained by the seduction of his wife by the defendant.

Mr. Thesiger then observed, that he rose to discharge the very painful duty of detailing to them the circumstances under which the plaintiff was compelled to seek, in a public court of justice, that poor and miserable compensation which the laws of this country afforded in the shape of pecuniary damages. He could not enter into this case

without being nearly overcome with strong feelings for the bitterness which his unfortunate client already had and would have to endure throughout the remainder of his life. The defendant was a person who had arrived at that advanced period of life when the passions ordinarily became subservient to the judgment, and when the experience of the world pleaded anything but in mitigation of the aggravated conduct of which he had been guilty. The defendant possessed scientific knowledge, and was endowed with superior literary attainments; and it would appear by the history of this painful cause that he had employed his combined talent to effect the seduction of this weak and confiding woman; he had rendered her an outcast from the society she was calculated to adorn, and he had induced her to quit a kind and generous husband, and a home which threw around her everything that conspired to her happiness. The plaintiff was compelled, through the misconduct of the defendant, to publish his dishonour to the world in a court of justice, and he was obliged to submit to the degradation of asking for pecuniary damages for an injury which he had sustained, and which no amount in money could repair. The plaintiff came from an honourable family; he was the son of a gentleman of considerable fortune who resided at Peterborough, and who sent him in early life to Eton college. In due time he was removed from thence to the University at Cambridge, and in the year 1814 his father purchased for him a cornetcy in the 1st Dragoon Guards. The unhappy lady, into whose conduct they were about to inquire, was the daughter of colonel Spicer, formerly of the 12th Lancers, and since residing at the Chateau de Capacure, in the parish of Outreau, Boulogne. In the year 1823 Mr. Heaviside, the plaintiff, whose mother was a sister of colonel Spicer's, went to Boulogne, and for the first time saw Miss Mary Spicer, his first cousin, and the only child of colonel Spicer. He was attracted by her person and manners; an intimacy sprang up between them, which was mutually cherished, and it ripened into affection; and at length it was determined, with the consent of the friends of both parties, that they should be married. The marriage took place on the 17th of July, 1824, at St. Michael's church, Bath. It was a marriage of pure affection, for captain Heavside had ample means to make him care but little about the fortune of his wife. Indeed, there could not be a stronger proof that the strongest attachment existed on his part towards his wife than his conduct upon his marriage. He made a settlement of 20,000*l.* upon Mrs. Heaviside, which was secured in the usual way; the dividends to be paid to him during his life, then to her after his death, and in case of there being no children, or in the event of their not being of age, then she was to be entitled absolutely to the whole of the reversionary interest. She was likewise entitled to the reversion of 13,000*l.* upon the death of her father. Shortly after their marriage they went on the continent, and upon their return they resided for some time at Saunders's lodge, Oakingham, Buckinghamshire, and about ten years ago came to reside in Brunswick-square, Brighton, where they had since kept an establishment, and moved in the first

circles of society. They appeared to be devoted to each other, and their union gave rise to that usually strong cement of affections, children. In short, there seemed nothing for them to require beyond that which they possessed. Mr. and Mrs. Heaviside had three children, two girls and a boy; the eldest girl was fourteen years of age, the second thirteen, and the boy six years old. The plaintiff was a fond father and a loving husband; he displayed no violence of temper, he exhibited no hasty or ungentlemanly conduct which could estrange the affections of his wife, but he lived in the bosom of his family, and his home appeared to be the whole world to him; and during the nine years he had resided at Brighton he had upon one occasion only allowed his wife to go into society without him. It would be also proved that Mrs. Heaviside never betrayed the slightest levity of conduct, but always appeared to be strongly attached to her children. If, in this life, they could expect to find happiness, the jury would imagine that it would be found in such a home as this; but in an evil hour the defendant made his appearance among them. He came to Brighton about some literary pursuit, and his reputation as a man of science was a passport into society. He obtained an introduction to the plaintiff, and, unhappily for him, was received as a visitor at his house. There was nothing in his conduct, his age, or his appearance, to induce the suspicion that he was a dangerous visitor — nothing that would lead the most sceptical to believe that when he entered the doors of peace, and the dwelling of happiness, he was the viper that would destroy everything that was valuable within, and turn the plaintiff's home into an abode of wretchedness and of desolation. Captain Heaviside was in the habit of attending to his magisterial duties at the town hall, and he was also one of the directors of the Brighton railway. During his absence from home the defendant had the opportunity of visiting Mrs. Heaviside; but so much caution was observed that the attendants and those constantly about the misguided lady were unable to discover that any familiarity existed between them, and the witnesses would, therefore, be unable to point out the beginning of the fatal influence which the defendant possessed over her, and which he exercised in the consummation of his criminal object. Human nature and their own experience would, however, assist them in coming to a conclusion. It was hardly to be believed that the defendant could be carried away with any headstrong feeling, or any impulse of passion, and therefore so absurd a defence could not be set up. They knew there were many approaches to the female heart. A woman who possessed no inordinate share of talent might be misled and decoyed from the path of virtue by a person of superior acquirements, who, for sinister purposes, paid deference to her in order, that when her vanity overcame her reason, he might, serpent-like, draw his meshes around his victim, and make her irretrievably lost. These were the dark and insidious arts that were practised by the defendant, and the jury would be able to trace every web that was designedly thrown around the plaintiff's wife, until she was inextricably surrounded. Mr. Heaviside left Brighton the

11th of March, and came to London; and on the 13th of the same month Mrs. Heaviside quitted home at an early hour in the morning, stating that she was going on a visit to Mrs. Greville. She did not return at the usual hour to luncheon, nor had she given any directions about the dinner, which excited some alarm among her domestics; and, in the afternoon, the suspicions of one of the servants were aroused by observing that everything was removed from the toilet of her bed-room. The servant communicated her suspicions to the butler, who went to Mrs. Greville's, and ascertained that Mrs. Heaviside had not been there. The butler, upon this, immediately proceeded towards London, to make his master acquainted with the circumstances, but he crossed the plaintiff on the road, the latter being on his return to Brighton. When the plaintiff heard of the debasement of his wife he became insensible, and only awoke from his stupor to endure greater agony and suffering. He was stunned with the intelligence, and for some time continued dangerously ill. The guilty parties, in the meantime, had proceeded to the Adelaide hotel at London-bridge, where they remained during that night, occupying but one sleeping apartment, and the next morning they proceeded by steam to Ostend, and from thence to Dunkirk, where all trace was lost of them. It was subsequently discovered that they were living at the Rue Tronchet, at Paris, as man and wife; and here he (Mr. Thesiger) might observe, that it would not have been difficult to have produced evidence of their criminality; but, for the purpose of saving expense, a course had been adopted to which he distinctly asserted captain Heaviside was no party, as he knew nothing of their place of retreat—that the defendant and Mrs. Heaviside should be produced to the servant at the hotel where they first slept, for the purpose of being identified; and the most extraordinary part of the stipulation on the part of the defendant was, that under pretence of saving expense, captain Heaviside's own butler was to be the principal witness, for the purpose, no doubt, of attaining an object which he (Mr. Thesiger) could well understand, but which he was sure would be thwarted by the jury. In the month of April, when the plaintiff first received intelligence of his wife, he proceeded, with colonel Spicer, to Boulogne, and, upon entering the Rue Tronchet, he found her and the defendant at breakfast together. Stung with indignation and horror, the plaintiff, in the first impulse of his disgust, inflicted a well-merited chastisement upon the defendant. He (Mr. Thesiger) could not from his heart blame the plaintiff for the course he had taken, for they all knew there were times when, despite of everything, their own natural feelings would vindicate their own natural rights, and when they could not wait for the slow process of the law. He (Mr. Thesiger) did not, therefore, believe that this circumstance would have any effect upon their judgment, or that they would entertain it for one moment in the reduction to any material extent of the damages they would award to the plaintiff. If the defendant had brought an action for assault against this deeply-injured husband, what amount of damages would the defendant have recovered? and after having answered this question, they might

then deduct exactly so much from the damages which captain Heaviside this day sought to recover. At Paris a most extraordinary discovery was made. In the desk of Mrs. Heaviside the drafts of the two letters sent by her to her father and the plaintiff, were discovered, and they actually bore several corrections in the defendant's own handwriting. He (Mr. Thesiger) could well understand how this miserable and unhappy woman could shrink from addressing her ill-used and injured husband, and how, after attempt after attempt had been vainly made by her, she abandoned the task in despair. He could well understand, he repeated, this feeling on her part, and he could also understand what led the defendant to dictate and alter the letters for his wretched victim. He had no feeling of shame or remorse—no feeling of delicacy—and in those letters which would be produced to the jury, they would be able to trace in every line the dictation of the defendant. They were not the outpourings of a person with a troubled mind, but they were evidently the calm, deliberate, and calculating reasonings of a mechanical philosopher. He begged to call their attention to a letter signed by Mrs. Heaviside, and bearing date the 15th of March. It was addressed to her husband, and was as follows:—

"*Sunday, March* 15, 1840.

"I sit down to the painful duty of fulfilling the promise made in my note of Friday.

"I will do it as briefly as the circumstances to be told and the feelings to be expressed will permit. You have observed the continued indisposition from which I have suffered for many years past, and which I have allowed you to suppose proceeded from bodily illness. My sufferings, however, were of a different nature, and arose from a different cause. They originated in the mind and in the heart. Among the persons introduced to my acquaintance within the last few months was one who, unfortunately for me, produced such an impression upon my heart as I felt could never be effaced. In the first period of our acquaintance I flattered myself the sentiments he inspired were those of friendship merely, and I indulged in his society with unguarded, and, as the event proved, most imprudent freedom; as this, however, was no more than was done by other ladies, by whom his acquaintance and conversation was eagerly sought, and as I never before had reason to distrust myself, I proceeded unapprehensive of consequences. He departed from Brighton, and the effects of his absence convinced me, for the first time, of the real state of my heart, and I soon felt that my peace of mind was irretrievably lost. He had never presumed to tell me that I was to him an object of affection. His manner and language were, on the contrary, most deferential and respectful. I had seen, however, indications of his feelings towards me, more convincing and unequivocal than mere words could convey. In short, without any express communication on the subject, our feelings became mutually known; we felt that every dictate of duty suggested immediate separation and absence. Separation and absence were accordingly tried, and continued until I was driven well nigh to madness. I shall not attempt, because the attempt would be unavailing, to

describe to you what I suffered; had you been more constantly with me than your avocations usually permitted you to be, the state of my feelings could not have been concealed from you, and it was only by heartrending efforts that I assumed an apparent cheerfulness during the brief and distant intervals you passed with me; you know me too well to doubt my truth when I assure you, that on more than one occasion I was on the point of attempting to rescue all parties from the evil which menaced them, by removing myself to another world by opium. I struggled—God alone knows how I struggled—to subdue this criminal attachment, and to recover sufficient tranquillity of mind to enable me to perform my duties as your wife. I wrote to him declaring my resolution to conquer my affection for him; his good feeling and real regard for me prompted him to acquiesce in this course, and he expressed his entire approbation of it. I tried it—I failed—the struggle almost cost me my life. I now became fully convinced that I was for ever incapable of discharging towards you the duties and offices of a wife, save by the adoption of a course of systematic dissimulation and unremitting hypocrisy, from which all my better feelings revolted with loathing and disgust. I felt that the attempt would render my life one continued lie. No course then remained for me by which I could be rescued from the horrors of my position, except either self-destruction, or to withdraw myself openly from you, and resign myself to him who engrossed all my affections; to have adopted the only intermediate measure by indulging in his society and secretly committing infidelity to you, while I continued to profess the feelings and perform the offices of a wife, was one of which I was altogether incapable. I, therefore, after viewing my situation, and examining my heart, determined to abandon a position which I could not conscientiously maintain; and I did accordingly, on Friday last, deliberately and advisedly, and not in a moment of excitement, or under any sudden impulse of feeling, leave my house, and place myself in the hands of him to whom my affections had been surrendered.

"Need I assure you, that up to the hour I quitted your door, I was never guilty of any act injurious to your honour, or incompatible with the vows I had made you. What I have done I have done openly, and have not added the meanness of falsehood and deception to the sin of infidelity. While by this formal confession I place in your hands the power of releasing yourself from the tie which binds me to you, and of preserving the rights of our children from the possible consequences of my act, I am prompted as much by feelings as by duty to declare, most unequivocally, that what I have done has not been caused by any absence of kindness and affection on your part; that, on the contrary, from the day of our marriage to the day of my departure from you, you have been most kind, most tender, and most affectionate; and I am deeply sensible that you have deserved a very different return from any that it has been in my power to make.

"As I believe and trust that my own conduct, as well as that of the person to whom I am now united, has been, up to the hour of my separation from you, such as to

afford no grounds for objection and suspicion, you cannot, I presume, have any means of knowing who that person is: it is necessary, therefore, that I should inform you that it is Dr. Lardner. Neither he nor myself desire to offer any extenuation, much less defence, of our conduct. We feel it, however, to be only justice to ourselves to say, that we are prepared to suffer all the evils attendant upon a total change in pecuniary circumstances as the inevitable consequence of the step we have taken. I have come to him destitute of any means of support, and bringing nothing with me but the few articles of dress I had upon my person. He has surrendered a large income which he has for many years enjoyed, arising from his professional labour. Banished, as he must be, to a foreign country, damaged in character by the very measure which gives me to him, removed from all those connexions on which the profitable occupation of his time has hitherto depended, he is at this moment uncertain where or how he may obtain that very small income which will suffice to supply our most moderate wants and wishes. Not foreseeing an exigency like the present, he has not realised any considerable amount of property—nothing, in fact, which can materially aid us in our present position. We were both fully aware of these formidable difficulties and sacrifices; but he felt that any sacrifice, however great, would be most willingly made by him to soften the evils attendant upon the position which I must assume. Now, in conclusion, allow me to express a hope, that after the first anguish attending this misfortune has been assuaged, you will see that your peace and comfort will be more promoted by losing me altogether, for retaining me without retaining my affection would be irksome to you, and you would have the pain of seeing me daily consumed by a hopeless attachment to another, which would eat into my heart until I should be reduced to the mere shadow of myself, and which must, after a brief period, have brought me to the grave. It is not likely that you will feel any disposition to communicate further with me; but, as we still have some common interests, I feel that it is my duty to supply you with the means of such communication should it be necessary. Anything which is addressed to Mrs. Williams, No. 17, Old Burlington-street, will be forwarded to me.—Believe me still your most sincere and grateful friend,

"Mary Heaviside.

"It is my wish, if you have no objection, that this letter, or a copy of it, should be sent to my father."

The learned counsel proceeded—On the 4th of April the plaintiff's wife wrote another letter to her father, which also contained ample evidence of the cool and calculating baseness of the defendant. It was to this effect:—

"Paris, April 4, 1840, Hotel Tronchet, Rue Tronchet, 21.

"My dearest Father—The considerate kindness which pervades your letter of yesterday, and the more than parental tenderness which breathes in every line of it, have deeply affected me. If I do not coincide in all your views, or adopt your suggestions, it is not from the absence of that sympathy of feelings which has always existed between us, but because you do not, in the present case, comprehend the state of my mind and heart as

perfectly as you have always done in the ordinary occurrences of my life. That neither yourself nor any other relations really understand my feelings, is abundantly proved by some parts of your most kind and affectionate letter. You say that yourself, and every one who knows me, consider that what I have done has been the effect of a 'momentary fit of insanity,' and look to be convinced of this by my sudden repentance, by my desertion of the person with whom I have united myself, and my immediate return into the bosom of your family. Were I to allow you, my dearest and most beloved parent, to remain under a misconception so gross, I should do injustice at once to you and myself. Can you suppose me your daughter—arrived at my present time of life, having moved for so many years in the world with eyes to observe, understanding to think, and heart to feel—can you suppose me to quit my home and family, to expose my husband and children to the pain which I knew to be the inevitable consequence of the step I took, to afflict you and my mother, and to resign the many advantages attendant on my own position, for the mere gratification of momentary feeling? Reflect how base such a feeling must be, if it existed at all! How unworthy of me, and how incompatible with everything that you know of my character and previous good conduct. If I could have been guilty of taking such a step as I have taken, prompted by a feeling so gross and momentary as that which you describe, I should, indeed, be most deservedly an object of execration and contempt. Were I now to adopt that suggestion which your love for me rather than your better judgment has induced you to make, I should be signing my own condemnation, as well with the present generation, as with posterity. I am sensible that my acts are before the world, and that they will be recorded after I am laid in the dust. Whatever difference of opinion individuals may entertain respecting his merits, Dr. Lardner has held so conspicuous a position in public life, and is so well known in every part of the world, that one connected with him, as I am, must expect to be subject to more than ordinary scrutiny. How would my conduct bear such an examination if I should leave it to be inferred that in resigning myself to him, instead of being swayed by a profound and unalterable attachment, arising from feelings inspired by better and nobler qualities, I have been influenced by nothing but those licentious motives which so often influence women, and that I should prove this by deserting him with that levity and want of consideration which always attends such feelings? I feel it necessary here to repeat what I stated distinctly and emphatically to my husband in the letter which I desired should be shown to you: I struggled for many weeks to subdue the attachment with which I had been inspired. Absence was tried; but struggles and absence were vain. Before I had decided upon the step I have taken I became convinced that the state of my mind was such, that further resistance to my feelings would have cost me my life. I felt that nothing short of this conviction would even extenuate in my own eyes the act I had committed, and in this feeling Dr. Lardner fully agreed; and it is but justice to him to assure

you that before I quitted Brighton he expressed to me in writing his strong opinion to that effect. If you are disposed to give me credit for the truth and sincerity of what I have now expressed (which, however, has been still more fully stated in my letter to my husband), you will, I am sure, perceive that, by adopting your suggestion, instead of improving the moral position which I hold, I should deprive myself of every just claim to indulgence and extenuation which I can ever hope to advance. You say that a special clause will be introduced into the Act of Divorce to prevent my marriage; you must, in common with every well-informed person, be aware that such a prohibition is not customary; and, if it were introduced in this case, it must be done on some special grounds, or through the exercise of some special influence. No special grounds exist for such a prohibition; and if any sinister influence should be exerted to deprive me of the means of rectifying my position, and receiving at the altar the vows of him for whose sake I have made so terrible a sacrifice, I have no refuge, except in the consolation arising from the reflection that the state in which he and I will be compelled to live is one which we should use every means in our power to avoid. We feel that we are already as strongly bound to each other by every tie for which we entertain respect as any marriage could make us, and we look forward to that ceremony hereafter. It is not for the sake of ourselves, but with a view to the opinion of the world, and to the interests of those to whom we may give birth. It is, therefore, with those feelings that I trust and hope you will yourself, after more serious and deliberate consideration than you have been able to bestow on this painful subject, use your influence to prevent any such unusual and mischievous restriction as that to which you refer. As to my marriage settlement, to which you advert, I am quite content to leave it and all other interests of a like kind at your absolute discretion. When we took this step our eyes were fully opened to the disastrous consequences which must attend it, so far as property and income were concerned. I surrendered, as you know, a position of affluence, and sacrificed the enjoyment of a considerable fortune. He is well known to have been for many years in the possession of a professional income amounting to several thousands a-year. Being unencumbered with family, and feeling assured, that whenever he was disposed to marry, he might always expect an accession of fortune, he did not provide by saving for a contingency like the present. The consequence has been, that in uniting himself with me, and consequently withdrawing himself from the place where alone he could exercise his professional labour, he has surrendered nearly his whole income; that which he can now expect scarcely amounting to what will be sufficient to obtain for us, even on the most moderate scale, the requisites of life. Short as the period is which has elapsed since the step we have taken has become known, he has been already made to feel its consequences; you will feel, I am sure, how cruel and unnecessary any proceedings will be which can tend to aggravate the difficulties of my position. On this subject I shall add nothing, trusting as I do entirely to your con-

siderate affections, only imploring you to believe (what sooner or later you will be convinced of) that our fates are irretrievably identified, and that my well-being can never be separated from his. In the agitation of mind under which you have evidently written, you have omitted all notice of a subject which to me is one of the deepest solicitude—I mean the children. On this subject I must of course be supposed to entertain strong feelings, and to have wishes, the object of which can be only their welfare. I have no right, however, to express any wishes, and must, therefore, only entreat you, whenever you are again disposed to write to me, which, I trust, will be very soon, that you will inform me how the children are, and more particularly in what manner it is intended to rear and educate dear Ellen. I cannot feel myself justified in concluding this letter without endeavouring to express to you how gratefully sensisible I am of the tone and tenour of the letter you have addressed to me, and how much I am aware that not one parent could be found in the thousand of thousands, who at the moment of smarting under the consequences which I have brought on you, could ever bring themselves, by any exertion of self-control, to adopt that tone of indulgence which is with you only the spontaneous result of your own affectionate nature. Well as I understand your character, and long as I have experienced your untiring affection, I confess that it was not without feelings of unmingled astonishment at your patience and forbearance that I read your letter this morning. May God Almighty bless you, my dearest parent, and believe me always

"Your affectionate and grateful child,

"MARY HEAVISIDE."

He (Mr. Thesiger) would call their attention to the extraordinary circumstances which characterised all the letters. They would observe that none of the letters threw any obstacle in the way of the plaintiff to prevent him from obtaining a divorce, and he Mr. (Thesiger) was entitled to say from this fact alone that the motives that influenced the defendant in pursuing the immoral course he had done was the desire to obtain at any cost, and under any circumstances, however reprehensible, base and filthy lucre. The plaintiff's wife, as he had stated, was entitled at the death of her father to 13,000*l.*; but the defendant could not grasp the money unless the plaintiff obtained a divorce, and thereby enabled the defendant to marry her. This, to his (Mr. Thesiger's) mind, was evidence most clearly showing that the most corrupt, sordid, and mercenary motives influenced the defendant. But if any further proof were wanting, let them direct their attention to a letter on the same subject, written by the defendant himself to Mr. Divett, the member for Exeter. That letter was to this effect:—

"Great Green-st., Westminster
March 14th, 1840.

"My dear Sir, — Before this letter will reach your hands, you will have learned the circumstance which has produced it; it is, therefore, unnecessary for me to inflict on you and on myself the pain of its recital. Your old and attached friend, Mrs. H., supplicates you, by all the sentiments of regard you have entertained towards her, to exert your influence to urge her husband to pursue with all possible

expedition the steps necessary for the dissolution of their marriage. This course he ought to take for the sake of the rights and interests of their children, which her present situation endangers; but what he implores you, as her for ever valued friend, to consider is, that such a proceeding on his part is the only chance she has of recovering, as far as it can be recovered, her right position, by having it in her power to unite herself in marriage with him for the love of whom she has made so terrible a sacrifice. It is, I hope, needless for me to say that I impute no part of her conduct to impurity of mind, or to any quality which renders a union with her less desirable to me than it would be were she now an unmarried woman, with a reputation the most unsullied. Whenever she shall be capable of contracting marriage, I shall be most proud and happy to make her my wife, and until then she shall be cherished by me with as much tenderness, and treated with as scrupulous respect, as if the word which unites us had all the sanction and force of marriage. You will not suppose that I would of myself take the liberty of addressing this letter to you. It is done altogether by the desire of Mrs. H., who wishes me to say to you, that if you should have any communication to make to her, it will reach her by being addressed under cover to me. She has written a full disclosure of her feelings and conduct to her husband, which she hopes his long friendship and intimacy with you will induce him to show you.

(Signed) "D. LARDNER."

After reading this letter he (Mr. Thesiger) would ask if he was not justified in arriving at the conclusion he had done, that the defendant's glittering object was the 20,000*l.* and the 13,000*l.* to which the plaintiff's wife would become entitled? It was unnecessary for him to make a single remark upon the conduct of the unhappy lady. If the grave had closed upon her, heavy indeed would that calamity have been; but the plaintiff would have borne it with resignation. Tears would have followed so heavy a loss, but he would have had the consolation of entertaining a hope that the object of his care and of his affection had passed into a better world, and he would with resignation have bowed to that rod by which they were all at times stricken by God, and would have cherished the fond hope that at some distant period they would have met in a happier place. But where, as in this case, their joys were nipped in the blossom by the withering acts of the adulterer—where their feelings were wounded in the most poignant manner, and those feelings of bitterness and of anguish remained—where every thought had a scorpion's sting, and every feeling was madness—where the pity of the world was turned into scorn, and the dishonour of the adulterer still remained and rankled in the breast, and no time could obliterate it—where, as in this case, all this; ay, more than this, the plaintiff had sustained from the defendant, was it not a mockery to the feelings of insulted honour to be obliged to resort to the contemptible and paltry course of asking for pecuniary compensation? Nevertheless, in proportion to the amount of damages the jury awarded, it was generally estimated the relation in which the plaintiff and his wife stood, and the loss he had sustained, the character which he had

borne, and the station he held in society. The jury might be told that the defendant was not in affluent circumstances, but he (Mr. Thesiger) could not understand upon what principle such a line of defence was usually adopted. If a trespasser spoiled his goods, would he not be entitled to recover without reference to his pecuniary circumstances? and was it to be said that if he sustained a deeper injury—if such an irreparable injury was inflicted upon him as had been upon the plaintiff—the damages should be awarded upon a different principle? If any proposition had been made to the plaintiff to barter away Mrs. Heaviside, to consent to the annihilation of his domestic comfort and his everlasting peace, was it to be supposed that he would have accepted the paltry consideration which he now sought at the hands of the jury? If it was proposed that his wife should bring down disgrace and dishonour upon his children for the paltry 10,000*l.* at which his damages were laid, what did they suppose would have been his answer? Could there be the slightest doubt that he would have rejected such an offer with scorn and indignation? Again, let him advert to the fact of the plaintiff having been deprived of 13,000*l.*, the reversion to which she was entitled, and in the position of obtaining which the defendant had placed himself. It was, he (Mr. Thesiger) confessed, with shame that he referred to such degrading circumstances, but the many anomalies with which the case abounded required it. The plaintiff's home —that word which struck upon the heart with a thousand tender associations, where he had been living and having everything he desired—had been rudely broken into by the adulterer, and now Captain Heaviside appeared before them wretched and heartbroken, with every joy shattered and annihilated. The plaintiff's children, at a time when they most required it, were deprived of the protection of a mother, and that tender care which a mother could alone afford. If ever there was a case in which exemplary damages ought to be given, it was the present, and he implored the jury to give the plaintiff every farthing that he asked in his declaration.

The following witnesses were then called:—

Anne Smith, attendant to Mrs. Heaviside, confirmed several of the facts as opened by the learned counsel for the plaintiff. The letter produced was in the handwriting of Mrs. Heaviside, and was left upon the table in the drawing-room on the day of the elopement. When Captain Heaviside returned and heard the intelligence of his wife's departure he became insensible, and remained so for above two hours. On recovering his senses he went to bed, and during the night was seized with a fit of ague. He suffered dreadfully. Witness read to him part of the letter, but he could not peruse it, or bear to hear it read through.

The letter was then read as follows:—

"The pain which I shall inflict by this cannot exceed that which I feel; we are parted for ever. This step is my own, taken spontaneously, and not by the instigation of any other person. You have witnessed what I have suffered for the last six weeks, but you have not known the cause, still less can you imagine the *death struggles* I have made before surrendering myself to the course I now take; this

alternative has been an eternal separation, or insanity, terminating in suicide. Can you condemn me for obeying the instinct of all living things, and clinging to life on the only condition on which life can be saved? Do not, I implore you, attempt to follow me or discover my retreat. If such pursuit could avail, I had never left my home. Be assured it would be vain and painful. In three days you will receive a statement of all I have suffered, a confession of what I have done, and a disclosure of the feelings and the motives by which I have been impelled. Farewell!"

Mary Sanford, chambermaid, and Mr. Francis, proprietor, of the Adelaide-hotel, London-bridge, and Richard Peglar, butler to the plaintiff, confirmed other points in the learned counsel's narrative, after which the following witnesses were examined from the bench, and deposed to the plaintiff and his wife having lived on the most kind and affectionate terms during their residence at Brighton:—

Mr. Spicer, the uncle of Mrs. Heaviside; Mr. Divett, M.P.; the Dowager Countess of Carhampton, the hon. Mrs. Greville, Mr. and Mrs. Wigney, and lady Campbell.

The respective deeds of settlements and the letters were then formally put in, and Mr. Thesiger said this was the plaintiff's case.

Mr. Serjeant Channell then rose to address the jury on behalf of the defendant, and he observed that if his learned friend had felt pain at introducing this case to their notice, how much greater was the difficulty in which he (Serjeant Channell) was placed in rising to address the jury on behalf of the defendant. It was impossible for him to deny, on the part of the defendant, that the plaintiff's wife had eloped with him. He admitted that to the fullest extent. He would also, therefore, admit that the plaintiff was entitled to a verdict, and the only question he should touch upon in his address to the jury would be the amount of damages. That the plaintiff was entitled to compensation in damages for the injury that had been done him he did not deny, but he did confidently state, that the circumstances of the case were not such as to require the enormous amount of damages that had been demanded by his learned friend. With regard to Mr. Heaviside, he was not instructed to say one single word in his disparagement, or in reference to his conduct to his wife; that was no part of his defence, and he was ready to admit that he had treated his wife with kindness, and that there could be no complaint against him on that score. He begged the jury, however, to recollect that this was not a case where long friendship had been abused—the elopement had evidently sprung from some sudden impulse, and it did not call for the severe punishment upon the defendant that was required at the hands of the jury. They had it in evidence that Dr. Lardner had not been introduced to the family of the plaintiff until December, and the unfortunate occurrence took place in March; therefore he considered it could not be said that there had been a long and systematic plan of seduction pursued by the defendant, and this was the most serious portion of the charge that was made against him. With regard to the lady, she could not be said to be young and inexperienced —she had arrived at a mature age, and it could hardly be said of her

that she was a likely person to become the victim of seduction. She had been sixteen years married to Mr. Heaviside, and during that period she had constantly mixed in society, and must have acquired that knowledge of the usages of the world as to render her a very unlikely victim of seduction. When he considered the lady's age, the circumstances under which she was placed, and the fact that after an intercourse of only three months she had thought fit to elope from the house of her husband with the defendant, he could not help thinking that there was something more in the case than met the eye of the jury, and that there must have been some reason in her own breast for inducing her to quit the protection of her husband, and throw herself into the arms of a comparative stranger, and that all idea of any deliberate plan of seduction was entirely negatived by the circumstances of the case. Although he admitted that Dr. Lardner had eloped with Mrs. Heaviside, he was prepared to contend that there was no proof that this result arose from any deliberate plan of seduction on his part. He must also submit to the jury that they could not believe, from the circumstances, that that complete and perfect state of happiness existed between Mr. and Mrs. Heaviside that had been spoken to by the witnesses. If that state of happiness had really existed down to the moment of Dr. Lardner visiting the family, could they believe that a lady of this age could so suddenly have forgotten that affection and the duty she owed to her husband, and to her family, by giving herself up to a stranger? He did not think the jury would consider that this was very probable. It was in evidence that Dr. Lardner had only been to Mr. Heaviside's house ten or twelve times, and in that short period of time this melancholy affair was brought to effect, and he submitted to the jury that they ought to repudiate altogether the imputation that the defendant had made use of any arts, or that any deliberate plan was executed by him to seduce the affections of the plaintiff's wife. With regard to the evidence that had been adduced for the purpose of showing the happy state of life of Mr. and Mrs. Heaviside, he must, with great deference to those witnesses, say that their evidence did not satisfactorily establish that position, because in his opinion they had not sufficient opportunity of judging of the real state of the case; it was true they had met the plaintiff and his wife at parties and other places, but these occasions, he submitted, were very unsatisfactory to show the feelings of the parties when in the privacy of their own homes. The jury would also recollect that some of those parties had not seen the plaintiff and his wife for two or three years. Upon such evidence he therefore considered the jury ought not to say that it had been proved that the plaintiff and his wife lived in a state of happiness. Another point that had been urged against the defendant was the fact of the letters that had been written by the plaintiff's wife, and which letters it was alleged had been concocted and dictated by the defendant. He did not think that this ought to weigh with the jury, for although under the peculiar circumstances of the case the defendant might perhaps have known of the letters being written, yet he contended that they must be considered as exposing the genuine feel-

ings of the heart of the unhappy lady. In those letters did not she say that the unhappy occurrence would not have arisen if her husband had devoted more time to her than he had, and had paid her more attention? Was this not corroborative of the opinion that the plaintiff and his lady did not live in that perfect state of happiness that had been described by the witnesses? He did not mean by this to cast any imputation on the respectable persons who had been examined, but he considered that they spoke without that accurate knowledge which should have guided them upon the subject. There was not, therefore, the slightest ground for imputing to the defendant that he had made use of any arts and practices to seduce the wife of the plaintiff. The jury were called upon to do justice to the parties, but he hoped that they would not allow their minds to be excited, and that they would not give an amount of damages that would tend to the utter ruin and destruction of the defendant, who, it had been proved, had no other resource than the talents he possessed to provide a subsistence. The learned counsel proceeded at some length to argue these points, and concluded by expressing a hope that the jury would take into consideration all the circumstances of the case, and that they would give such damages as would vindicate the honour and character of the plaintiff without entailing utter ruin upon the defendant.

Mr. Baron Gurney, in the course of summing up, observed that one point that was argued in favour of the defendant was, that he was chastised by the plaintiff, and if he had put the defendant's life in danger, it certainly would go in mitigation of damages; but, under the peculiar circumstances of this case, the conduct of the plaintiff in this respect he (the learned judge) should leave entirely for their consideration. The learned judge concluded by saying that the jury were not to estimate the damages according to the pecuniary resources of the defendant, but in reference to the injury the plaintiff had sustained. He had lost an affectionate wife, and his children were deprived of the instructions and example of a mother; and the plaintiff could not look his children in the face for the future without pain and anguish.

The jury retired for upwards of an hour, and upon their return,—

The foreman asked his lordship if Mrs. Heaviside would be able to leave any of the reversionary interest of 20,000*l.*, to which she would be entitled upon Captain Heaviside's death, to any future children she might have?

Mr. Baron Gurney said, that in the case of the present children dying, she would have the sole control of the money.

The jury also put some further questions respecting the disposition of the property in case of her marrying Dr. Lardner, and his taking the benefit of the Insolvent Debtors' Act, with which the learned judge told them they had nothing to do. They were about retiring a second time, when

Mr. Baron Gurney observed, "There is one fact I forgot to mention to you, and that is, that this conduct might have been pursued by the defendant some time before it was discovered."

The jury then left the court, and shortly before four o'clock they returned a verdict for the

plaintiff—Damages Eight Thousand Pounds.

Trial of Prince Louis Napoleon.

Court of Peers, Monday, September 28.

At 11 o'clock the gates of the hall were opened, and the tribunes reserved to the public were filled in an instant. No extraordinary precautions had been taken round the palace; a few military posts were stationed here and there at the principal outlets of the prison and palace of the Luxembourg, but the gardens remained open as usual, and the circulation round the palace was perfectly free.

Before the meeting of the court, the eagles, colours, arms, and other emblems of imperialism seized at Boulogne were carried in and laid on a table.

No alteration had been made in the division of the hall. The recess, in front of the semi-circle occupied by the peers, was, as usual, reserved for the prisoners; the chair of the president was placed on their left, and opposite to him were the four seats intended for the attorney-general and his three substitutes. The decoration of the hall was still in an unfinished state; the woodwork had not yet been painted, and the naked portions of the wall were covered with green velvet hangings.

At 12 o'clock the lawyers and counsel took their seats in front of the bar, and shortly afterwards the nineteen accused were brought in. Prince Louis Napoleon came in first, preceded by a lieutenant of gendarmes, and followed by Messieurs Berryer and Marie, his advocates. The prince was dressed in black, and wore on his left breast a silver *crachat*, or distinctive mark of his princely origin. Next came general Montholon, also dressed in plain clothes, colonels Voisin, with his arm in a sling, Parquin, Bouffet de Montauban, and Laborde, Messrs. Lombard, Conneau, de Persigny, Orsi, Ornano, Forestier, Bure, Lieutenant Aladenize, &c.

The prince seated himself at the extremity of the first row, opposite the president, and by his side sat general Montholon and the lieutenant of gendarmes. Those two prisoners were separated from their co-accused by a brigadier of gendarmes, but, contrary to the practice hitherto followed in regard to the Republicans tried by the Court of Peers, the accused were not individually flanked with two soldiers, but sat next to one another, the military employed to guard them being drawn up in the rear.

The prisoners had no sooner sat down than the court entered the hall, preceded by the chancellor baron Pasquier, and followed by M. Franck Caré, the attorney-general, and his three substitutes. The president having waited until all the peers were seated, announced that the debates were commenced, and ordered the recorder, M. De Cauchy, to call over the names of the members of the court. This operation lasted a quarter of an hour. Between 160 and 170 peers responded to their names. The absent peers were at least seventy in number, and consisted principally of the marshals, general officers of the old army and navy, and the principal high functionaries of the empire, members of the chamber of peers.

After the termination of the *appel nominal*, the president called on the prince to rise, and ques-

tioned him respecting his name, age, profession, &c.

"My names," replied the prince, "are Charles Louis Napoleon Buonaparte. I am 32 years of age, born in Paris, and a French exiled prince, residing in London."

General Montholon, colonels Voisin, Parquin, Laborde, and the other accused, severally replied to similar questions.

The president next directed M. Cauchy to read the decision of the court, dated September 16, and decreeing the impeachment of prince Louis Napoleon and his followers, and the proceedings were suspended a moment, whilst the witnesses, composed of a motley assemblage of Custom-house officers, pilots, national guards, officers and soldiers of the 42nd regiment of the line, and citizens of Boulogne, were brought in to be present at the reading of the act of accusation. This task again devolved on M. Cauchy.

After the conclusion of the act of accusation, M. Cauchy was asked by the president to call over the names of the witnesses, who were then ordered to their room and retired.

The sitting was afterwards suspended during twenty minutes, when both judges and prisoners quitted the hall.

At a quarter past 3 o'clock the court and accused returned, and the president having invited prince Louis to rise, the latter begged leave to offer a few observations before he answered this interrogatory.

He began by saying, that it was for the first time he had occasion to address Frenchmen in France; and although now surrounded with guards, and a prisoner, he found himself with pleasure in that palace of the imperial senate, in presence of so many faithful servants of his family. He would not enter into a justification of his conduct and intentions, although he might do so without pride or weakness; but he could not help observing, that during the last fifty years, since the reign of national sovereignty had been proclaimed, never did it manifest itself in a more solemn manner than in the framing of the constitution of the empire. That act of national omnipotence had never since been revoked by France, and all that was done subsequently was consequently illegitimate. "I was born," added the prince, "of a father who preferred descending from the throne, the moment he perceived that he could not reconcile the interests of his kingdom with those of France. The emperor, my uncle, resolved on abdicating sooner than consent to the retrenchment of an inch of the empire committed to his defence. Although fallen from the throne, and an exile for twenty-five years, I ever prided in the glory, and felt most anxiously devoted to the interests of France, and when, in 1830, the people resumed its sway, I hoped that it would repair a great injustice, and again sanction the votes of four millions of citizens given to my family. My intention was to abide entirely by the wish of the people, freely expressed in an assembly of the nation. I would have bowed to the principle of the sovereignty of the country, and whether it decided in favour of the establishment of a republic, a monarchy, or an empire, it would have found me full of respect for its decrees. My late attempt was culpable only inasmuch as I compromised a number of friends, who followed on blindly, without my explaining to them the motives

that prompted me to act as I have done. In every struggle there are always conquerors and vanquished. I am a vanquished enemy, and know before-hand that I have no justice to expect from my conquerors."

After the prince had concluded his address, the president said to him:—I do not think that what you have said is very favourable to your cause; you ought to have sought for other means of justification. You ought to have known how to appreciate in a better manner the sentiments of the country whose will you invoke. The president then repeated his question as to his landing at Boulogne.

Prince Louis.—I have replied to this question in my preceding interrogatories.

The President.—It is the custom for all tribunals to repeat them. You might reply here differently from the first time. (The prince remained silent.) Did you on landing find Aladenize and Bataille?

Prince Louis.—I refer to what I have already said. I will alter nothing in my first answers.

The President.—Did the custom-house officers attempt to prevent your landing?—Yes.

Did you say any thing to them?—No.

Did you not endeavour to induce them to follow you?—No answer.

The president then put several questions to the prince as to known facts. The prince replied that he had nothing to add to what he had already said on his previous examinations, and nothing to change.

Did you not, finding that you could not win captain Col-Puygellier to your cause, fire a pistol at that officer?—There are moments when we do that of which we are unconscious. The pistol went off against my will.

When did you conceive the project of landing in France to overturn the government?—I did not come to this resolution until I had seen that after a lapse of ten years the government had established nothing.

Are you the author of the work entitled *Les Idees Napoleoniennes?*—Certainly.

Did you not desire Mesonan to see a general, and tell him that for ten years past, you had had the intention of making him a marshal of France?—I will not reply to this question. I will not change my character of an accused person into that of an accuser. (Sensation.)

The president then put several questions relative to the events of Boulogne, to which the prince repeatedly said, "I have already replied."

President.—Do you acknowledge the proclamations which I now place before you?—Yes.

Was it without the knowledge of general Montholon and colonel Voisin that you affixed their names to these proclamations?—Yes.

By one of these proclamations you form a provisional government: how could you compose this by placing in it the names of persons whose consent you had not obtained?—Because I thought such a proceeding useful for my designs and the interests of France. Besides, I wished to take as the chiefs of that government men in positions of dignity, although they were not of my own principles.

But in invoking the principle of the sovereignty of the people you desired to convoke a national congress, and to effect a revolution?—A national congress cannot be convoked without a revolution.

The president then put several

more questions to the prince as to his not having confided his projects to general Montholon, colonel Voisin, and others, and desiring him to explain how this could have been the case?—The prince refused to reply.

General Montholon was next interrogated.

President.—Did you not attempt to excite a rising in Boulogne, in order to change the form of government in France, and proclaim Louis Napoleon emperor of the French?—I refuse to reply to the question.

You landed in France in the night with prince Louis and others of his suite?—Yes, but I did not know where I was going. I left London in the Duchess of Kent to go to Ostend, and arrived at Margate, to which place only the packet was going. In the night of Tuesday prince Louis sent me word that he wished to speak to me on board a vessel in which he was. I went there immediately. I there found the uniform which I wore at the moment of my arrest. We set out immediately. I asked where we were going, and the prince replied, "You will see." It was therefore without knowing the projects of the prince that I found myself involved in the affairs of Boulogne.

You have stated that you were living in London? You were then no longer in the service of France?—I was travelling only in virtue of a permission from the minister of war, and with a police passport. I am still on the list of French generals of the first section, but I receive no pay. Pay is not granted when leave of absence abroad is granted.

Do you persist in saying that you did not attempt to excite a rising at Boulogne for the purpose of changing the form of government in France, and proclaiming Louis Napoleon emperor of the French?—I could have no intention of proclaiming the prince emperor of the French, for he did not wish it himself. As to my views and sentiments they are clearly explained in the answer which I made to the prince when he announced to me his intended landing. I said, "You are ruining yourself and us; but I will not abandon the nephew of the emperor in the hour of danger, and I follow you in the hope of saving you, and preventing French blood from being uselessly shed."

Did the prince never speak to you of his projects? Why did not you attempt to dissuade him?—The prince often talked to me of them, and I always told him to wait until France should call for him, and to remember Strasburg. I repeat that in the affair of Boulogne, I was utterly ignorant, until the last moment, of what he was going to do.

The president here reminded the general that proclamations and other papers had been seized bearing his name.—The general replied, that the proclamation bearing his name was not known to him; and, in reply to an observation that it was not probable that the prince would have put his name to it without his authority, he repeated that such, however, was the fact, and that he would never have been fool enough to play the ridiculous part of a major-general with an army of forty men. He added, that he had always attempted to divert the prince from his projects, and this was the reason why the Boulogne affair had been concealed from him to the last.

The president then called upon colonel Voisin, who, in answer to the questions put to him, admitted that he landed with the prince at Wimereux, and followed him throughout the morning, feeling it to be his duty to support and defend him, but had no other arms than his sabre. He heard, he said, the report of a pistol when he was with the prince at the barracks, but he did not see who fired it. The colonel acknowledged that he had transcribed the proclamations, and had written several letters, and also some orders addressed to Messrs. Parquin, Orsi, and Mesonan. He repeated the statement given in the act of accusation as to his wearing his uniform, which he found on board the packet.

M. Le Duff de Mesonan was next interrogated. He admitted his participation in the prince's attempt, but, though with him at the barracks, did not see him fire any pistol, and thought that some one had let it off by accident. On being questioned as to his having, previous to the attempt, endeavoured to gain officers to join in the cause of the prince, Mesonan replied that there was not a single officer in the army who could say that he had made any such overtures to him. He further maintained, that he never endeavoured to influence general Magnan to take an interest in the views of prince Louis. He denied having ever distributed Bonapartist pamphlets. He last declared that when he embarked with the prince he was ignorant of his projects.

Colonel Parquin was the next prisoner questioned by the president. He denied that he had any previous knowledge of the prince's object. He was his aide-de-camp, and felt it his duty to follow him without inquiry, and landed with him at Wimereux. On being asked whether he did not endeavour to surprise a post of four men, colonel Parquin affirmed that he was never near the post, but rejoined the prince when moving towards the column. A lieutenant of the 42d, with several others, had failed in seeking to carry the post, and therefore he asked how could he alone have committed such an act of folly?

The president observed to colonel Parquin that his well-known intimacy with the prince and his former conduct, made it extremely difficult to believe that he (the prisoner) was unacquainted with his plans.

Colonel Parquin replied, "It has been said that I have never quitted the prince for three years, but since the Strasburg affair I never saw him till 1840. My passport proves that I have never been near him. I did not know his projects until after I was embarked." He further denied that he had made any attempts to seduce officers. He knew not the projects of the prince, and therefore could never have endeavoured to draw any one to participate in plans of which he was himself ignorant. On being reminded that he had gained over a man from the municipal guard, he replied, "The prince wanted a chasseur; to make a handsome chasseur a fine man is necessary, and to obtain a fine man one must have recourse to the municipal guard." (Laughter.) Colonel Parquin again persisted in his declaration, that the projects of the prince were unknown to him, and he never used any means to insure their success.

M. Bouffet Montauban admitted

that he landed with the prince at Wimereux, but he did not know he was coming to France to overthrow the government, and followed the prince because he was attached to him. He wore a sabre, but never drew it out of its sheath. He denied having seen the prince fire the pistol. He was not present, being sick in bed, when the prince mustered the men on board and made them put on uniforms.

M. Lombard was next called forward. He also admitted his landing and being at the barracks when the prince fired the pistol, adding, "I went to the barracks, where two companies of the 42d were lodged; I bore the flag. The soldiers received me with acclamations of *Vive l'Empereur! Vive Napoleon* 2d! The drums saluted the flag. Captain Col-Puygellier arrived without arms. We were all armed. We might have killed him, but we gave him quarter; we might have crushed the two companies, but we did not. Prince Louis fired a pistol to prevent the effusion of blood."

The president reproved Lombard for talking of giving quarter to an officer without arms, and Lombard apologised for any expressions that were offensive. He further denied having struck the sub-prefect, declaring that he only lowered the flag as he passed. On being questioned as to the motives of his conduct, Lombard said that they arose from his attachment to the prince, and his conviction that he was acting for the good of his country. He was implicated in the Strasburg affair, but was acquitted by the jury. Having thereby lost his means of living, the prince had been as a brother to him. He, however, was not acquainted with his projects.

M. Persigny, having been next interrogated, admitted that he landed at Wimereux, being informed of the prince's object, but not in detail. He was, he said, at the barracks, near the prince, and when captain Col-Puygellier came, would have killed him, had he not been prevented by M. Aladenize.

President. — Killed him! It would have been murder.

M. Persigny. — I should have killed him, but it would have been face to face.

The President.—You went up with a musket and fixed bayonet? You would have murdered him?

M. Persigny.—I have made my declaration; I have nothing to add. I have brought my head here, let them take it. The prisoner afterwards admitted that he was engaged in the affair at Strasburg, and had since published a book in London, eulogizing the authors of it. On being reminded that, according to one of the documents, he had accepted the rank of commandant des Guides à Cheval—he replied, "I had nothing to accept; I had only my services to offer. I am a soldier of the prince's; I belong to him soul and body." He admitted that his real name was not Persigny but Fialin, and that he had assumed the former as that of his grandfather, who was a count.

M. Forestier, who was on the shore with Bataille and Aladenize when the prince landed, was next examined. He acknowledged having taken part in the enterprise from two motives. The first was, that being at London, and presented by his friend Persigny to the prince, who received him with great kindness, speaking of France, from which he was banished, he felt great sympathy in his mis-

fortunes. The second motive was, that finding among the prince's retinue men dressed in soldiers' uniform, whom he, the prisoner, had sent to the prince as servants, he felt he should have been guilty of base cowardice if he had deserted them. Forestier admitted that he had distributed the pamphlet entitled *Lettres de Londres* to several officers, but denied that he had disseminated them in the barracks.

Rinck, a sergeant of the 42d, said, that lieutenant Aladenize entered the barrack and cried out several times *Aux armes.* I went down from my room, and found in the yard a group of officers in full uniform, with a colour surmounted by an eagle. I placed myself near the soldiers of my company, who had also come down, and several of the prince's officers shook hands with me, as did also the prince, who said, "I appoint you to be an officer, I hope I may reckon upon you, and that you will be with my brave followers." I replied that I would remain with my chiefs. M. Aladenize was running from point to point, saying, "Non-commissioned officers, to your ranks;" and, having caused us to execute this movement, he made us present arms, and salute the flag. The standard-bearer placed himself in the centre of our two companies, and the prince made a speech, in which he told us that we were going to the hotel-de-ville, and from thence to Paris. M. Aladenize commanded us to carry arms, and then to lower them, and said: "Non-commissioned officers, forward." Immediately afterwards he went to look for sergeant-major Clement, and, having found him, he presented him to the prince, with myself and the other sergeant, Chapelard. He said to the prince: "Here is a sergeant-major who merits promotion." The prince then named him captain of grenadiers, and endeavoured to undo his own cross for the purpose of decorating him with it. The prince also offered to the other sergeant and myself to make us officers, which we declined. The witness then continued to relate facts, all of which are known.

Aladenize.—All that this witness says is false. He put the soldiers in order of battle himself, and made them cry *vive l'Empereur!*

The witness declared that he had, on the contrary, refused to obey the orders which were given to him by the accused.

Aladenize.—Your character is known. Your deposition will have the weight that it merits with those who know you.

The President.—You ought to hold more becoming language before the court. In such a position as yours, it is not to your interest to insult the witnesses.

Aladenize.—But the witnesses should speak the truth.

The President.—Prince Louis, can you give us any information on this subject?

Prince Louis.—If I had been willing to speak, I should have found more occasions than one to do so as regards this evidence; but I prefer remaining silent.

Geoffroy, a grenadier of the 42d, deposed to the attack upon the barracks, and stated that he had been wounded by the pistol which was fired by the prince.

President.—Prince Louis, have you any thing to say?

Prince Louis.—I have to say that I sincerely regret having shed the blood of a French soldier.

Captain Col-Puygellier gave evidence to the following effect:—About half-past five, in the morning of August 6, I was preparing to get out into the forest of Boulogne, when one of my grenadiers came to inform me that he had met with a number of soldiers, headed by several general officers. I immediately commenced putting on my uniform, during which sub-lieutenant Rayon came to announce that prince Louis was at the barracks with some soldiers of the 42d. I hastened off, and in my way met lieutenant Moussin. We all three arrived together at the gates of the barracks, but were stopped by two sentinels, wearing shakos with the number of the 42d. I said that the 42d had no authority there, and we made our way to a group of officers we found assembled. One of them, wearing the epaulettes of a chef-de-bataillon, approached me, and in an affable manner informed me that prince Louis was there, and invited me to join him. I drew my sabre and advanced among them, but was immediately seized, and particularly by my sword-arm. Among the persons who held me was the chef-de-bataillon who first addressed me, and a colonel. I advanced into the barracks, and seeing a grenadier with the number 42, I told him they were leading him to treason. They replied that there was no treason, and desired me to cry "Vive prince Louis." I refused, but desired to see him. On entering the arched door of the barracks, a person apparently about thirty years old, wearing the uniform of a general, with a star on his breast, advanced towards me and said, "I am prince Louis, captain; be one of us, and you shall have whatever you can desire." I answered, "prince Louis or not, Napoleon, your predecessor, destroyed legitimacy, and you are wrong to come forward now and make a claim under it." The prince appeared to be intimidated, but they pressed upon me more closely. I exclaimed, "You may kill me if you please, but I will do my duty." They said they did not wish to kill me. At this moment lieutenant Aladenize covered me with his arms, and said with animation, "Respect the captain, I am answerable for his life." I then advanced further, and several of my non-commissioned officers came to release me from my enemies, who then withdrew into the street. I had just time to tell my men that they were deceived, and call upon them to cry *Vive le Roi,* when the enemies returned in close files, with the prince Louis, general Montholon, and the other leaders at their head. I advanced to meet them, and addressing myself particularly to prince Louis, desired them to retire, or I would use force. I then turned to my men with the intention of giving them orders to act if the prince did not withdraw. I heard the report of a fire-arm, but did not see by whom or at whom it was discharged, being too much pre-occupied. After the prince had gone out, sub-lieutenant Ragon and sergeant-major Clement told me that the report came from a pistol fired by the prince at myself. After the gates were shut, I found that the grenadier Geoffroy, had been wounded in the mouth by the shot.

M. Launey, le Provost, the sub-prefect of the arrondissement of Boulogne, entered into a long detail of the events of the landing, but added very little to the facts which he had previously stated in his

official report, and which was published at the time. He stated that he had been struck on the breast with the eagle by the standard-bearer, and that when he called upon the men who were with the prince in the uniform of the 42d, and whom he supposed were soldiers of that regiment to quit the prince, who was an adventurer, the prince desired them to push him aside.

Major-general Magnan was then called, and was asked by the chancellor—Did you not receive several visits from a superior officer named Mesonan in the last month which preceded the attempt at Boulogne?—At the end of the month of March, 1840, I was informed by the prefect of the north that an ex-surgeon, named Lombard, who had been compromised in the affair of Strasburg, was at Lille, and in communication with several officers of the garrison. I will not name those officers, nor the regiments to which they belong. The king, who was informed of the circumstance, has pardoned them. On the 6th of April, 1840, I acquainted the minister of war that M. Parquin, one of the principal persons implicated in the affair at Strasburg, had arrived at Lille. I wrote to him that Lombard had no sooner left Lille than Parquin arrived, but that I had no apprehension. I, however, thought it my duty to assemble the officers of the garrison, and apprise them that Parquin was at Lille. He did not remain longer than twenty-four hours. He went to the theatre, and having entered a box where a major of cavalry was seated, he immediately retired to another part of the house. About the same period major Mesonan arrived at Lille, he called upon a friend of his, an officer on the staff. He called likewise on the colonel of the 60th regiment, who told him that he could not ask him to dinner because he was to dine with general Magnan, but that he was sure that if he (Mesonan) would call on the general that he would be invited, and that then they would be together. Major Mesonan called on me, I had known him at Brest, when he was aide-de-camp to general Burke, to whom I was under many obligations. I was consequently glad to see him. I invited him to dinner —he accepted. After dinner I asked him what business brought him to Lille. He replied that he was going to Gand, and asked me for some information with respect to that town. The next day Mesonan came again and was introduced by my aid-de-camp. He complained of being put on half-pay after all the services he had rendered at the revolution of July and at Lyons, and again at Paris. He gave me an account of the complaints he had made. I told him that I blamed him, that he was a bachelor, and that his half-pay was sufficient. Mesonan then left me, but I heard that he returned to Lille in April. I sent for major Cabour and asked him what Mesonan was doing so often at Lille, he replied that it was on account of an intrigue, and I believed him. He called on me again, and showed me a letter. I saw that it was directed to him, and told him so, but he said "read it." I read a few lines, which were to this effect, as well as I remember:—"My dear Commandant, it is important that you should see the general in question. You know that he is a man of execution, and that I have marked him to be a marshal of France. Offer

him 100,000 francs, and promise to lodge 300,000 francs with a banker in Paris in case he should lose his command." My indignation became so great that I could read no more. I looked for the signature, and found it signed Louis Napoleon. I returned the letter and told him that I thought he knew me better than to make such a proposal; and that if I even did take his money, that the army would not obey me if I proposed any treason: that I had a great respect for the memory of Napoleon; that I had been captain in the imperial guard, and that rather than serve the Bourbons, I had become clerk to a notary; but that I would never break my oath, nor serve prince Louis, and that I thought he was a fool for doing so; that I ought to arrest him, but that I would not do, as I had given him hospitality; but that I would advise him to leave Lille and never to return. The same day I wrote to thirteen commanders of towns in my division to caution them against Bonapartist plots. Mesonan returned again to Lille, and when I was informed of it, I immediately denounced him to the commander of the gendarmerie, and ordered him to arrest him. Mesonan afterwards succeeded in intruding himself into my house without announcing himself, when I ordered him to fly. The general concluded by saying, that he had in confidence mentioned to Mesonan, that he had reason to be displeased, by a promotion which had been made to his prejudice; but that he never had any idea of violating his oath or his allegiance to his king.

The list of witnesses having been exhausted, the advocate-general then commenced his charge, by observing that the dynasty founded in July had been the object of attacks by factions of different parties, but that the loyalty and affection of the nation at large had triumphed over all their attempts. He then entered into a detail of the arrival of Charles Louis Buonaparte with a band of armed followers at Boulogne on the 6th of August last, that they attempted to seduce the military stationed at the Post d'Alton, but that although this post was only commanded by a serjeant, the conspirators could not induce this brave soldier to desert his allegiance to his king. From thence they proceeded to the barracks, but were equally unsuccessful; in fact, every person, of every rank, and of every profession, vied with each other in resisting the conspirators, and proving their attachment to the constitution. The advocate-general then remarked, that the evidence produced left no doubt of the guilt of all the prisoners. He then addressed a severe apostrophe to prince Louis, and told him, that although nephew to that great man whose glory belonged to the nation, he must recollect that the code of laws which governed the nation in which he was born was severe against such crimes, and he concluded by requiring the punishment of death according to the several articles of the penal code.

The advocate-general (Francis Carré), at the conclusion of his energetic and concise address, received the congratulation of several of the peers.

M. Berryer then arose and addressed the court as follows on behalf of the prince: — Gentlemen, I have not witnessed this trial without having been pene-

trated with a painful reflection. Is not that country most unfortunate in which so many convulsions take place in the course of so few years, and create doubts as to all its institutions? How many changes has not a single generation witnessed! A republic, an empire, a restoration, and a constitutional government. Is not such a state of things calculated to lead men to profane the majesty of the laws? In such a nation, and with such a succession of events, is it true that men of the greatest energy and fidelity, and the most invincible in contracted duties, are to be precisely those who are regarded as bad citizens? In such a state of society statesmen may well feel alarm, but judges in a political process should, before they give satisfaction to power, demand with energy whether it has not authorized by its acts, its antecedents, and its manifestations, enterprises which it declares criminal. When in 1815, the ministers sent before judges the men who had escaped from the disasters of Waterloo, I defended those who had remained faithful to the emperor; in order to save their lives, I allowed for events, and circumstances, and treaties. What I did then, I do again now. The prisoner who has done me the honour to intrust me with his defence, in seeking me out in the ranks of a party so opposed to his own, has nothing to fear. He shall see that I will not betray his confidence. Although the questions to which I shall advert affect deeply the sources of our political struggles, I will only allude to them judicially." M. Berryer here went over the facts of the landing, the proclamations, &c., and said, "Does the chief of this enterprise stand before you with such a character of culpability that it is possible to punish him judicially? Is this an occasion for applying to a rebellious subject the articles of the penal code? No. In 1830, the people declared its sovereignty; it declared that it resumed its rights, and asserted the will of the majority of the citizens. You have recognized this, and have thus consecrated it at the head of your fundamental law. The principle which now governs you is the principle of 1791, in virtue of which an appeal was made to the nation; in virtue of which 4,000,000 of votes, in 1804, declared that France demanded hereditary government in the dynasty of Napoleon. This was abolished in 1814; but you know what passed in 1815. Gentlemen, amongst yourselves, how often have I heard voices raised against the abolition of the principle which consecrated the hereditary power of Napoleon; but how many of you have I seen descend even to party struggles for the re-establishment of the dogma of the sovereignty of the people, which had been destroyed? Is the restoration of the empire, then, a phantom, a dream? Well, then, the emperor Napoleon is dead, and all is now dead with him! But in saying this, what do we say! Did his dynasty, which was founded by the national sovereignty, promise the country to last during the life of only one man? It is thus that you must now attack the guarantees of the power which you defend in order to repulse that which claims them? The empire has fallen, but under what circumstances? At the moment of the fall of the political dogma on which the empire was founded, what did you do in 1830? You revived this dogma, and with

it the hereditary rights of the Napoleon family. Is this the subject for judgment? Really one can hardly comprehend that there should be here a person under accusation! You have, by consecrating the principle, re-established the empire. This principle had been abolished, but you restored it. Again I say, and I will say it a thousand times, there is no person here liable to judgment. In 1836, you proclaimed the maxim which I now lay down. You recognized then that the prince did not fall within the common law, that he was not liable to the laws of the country. Why, then, is he brought before you? Are the times changed? Are rights no longer the same? Are the laws abolished? But you will say, perhaps, new disorders, violent revolutions must be prevented. You have a right to do this. Govern, but do not judge—do not judge the heir to a crown! Is there one amongst you who could say to himself on entering, 'I will be an impartial judge, I will weigh all rights. I will put the royalty of the empire and the royalty of July into the balance, and endeavour to judge impartially.' Impartial! You cannot be impartial; for you are the judges of established power, and you cannot cover the acts of the government with the mantle of justice. (Profound sensation.) You cannot give a verdict which would be that of the government. The client for whom I appear is proscribed, and you cannot apply to him the common law, from which you have excluded him." "But if you will be judges, be at least human judges of human things, and look at the circumstances connected with the event which has placed these prisoners before you. The present ministry was formed at a time when great political questions were agitated. This ministry blamed the timidity of its predecessors; the nation was groaning under the sense of the concessions made to foreign powers. It accused the government of the loss of the influence of France in Spain, and of having left that country under the influence of England. What did the ministry do? It invoked the memory of him who carried his sword from the extremity of Portugal to the banks of the Baltic; it has opened the tomb of the hero, it has touched his formidable arms, and has extended its hand to deposit them on his tomb. This is what the ministry has done. You are now going to judge the prince without taking into account the feelings which such appeals must have revived in his heart. Be men, gentlemen, and judge as men; and, before you judge, remember what has been done under a prince, who once asked as a favour to be permitted to fight against the Corsican usurper. (Sensation.) Under this prince, gentlemen, a minister has said that Napoleon was the legitimate sovereign of the country. What! after having heard these words, this appeal to the great name which he bears, to the glory which he regards as his inheritance, would you have his heart dead to feeling, and could you expect that this ardent young man would not cry, 'I will carry this great name to the frontiers to avenge France, and carry into neighbouring states the terror of past defeats.' 'This name (would he say) is mine; these arms were bequeathed to me by the warrior; no other than myself shall place them on the tomb of the warrior.

I will go, I will head the funeral procession, and I will say to France, 'Will you hear me?'" (Great sensation.) Be courageous enough to hear the truth. If the act which the government calls upon you to condemn be a crime, it was the government which inspired it by the principles which it has proclaimed, by the acts which it has glorified. If it be said that success is the basis of moral law, listen to me. I will ask you to say, you whom we know, whether, if he had triumphed, you would have denied his rights, and refused to associate yourselves with his power? (Profound sensation.) Judges and legislators, you respect the laws, well, then, open the code, and what do you see there? Death! death for the offence before your tribunal? Death! oh no, you will not pronounce that verdict, you cannot. You cannot, at the same time, attach the name of Napoleon to a glorious tomb, and to the scaffold! You will, then, pronounce a political verdict—political reasons will engross the mind of the judge, and decide his conduct. That would not be indulgence. You can pronounce another punishment—perpetual imprisonment, for instance—a punishment of infamy (sensation)!—a sentence of infamy upon the name of Napoleon! (Sensation.) Oh, no, you cannot. You will not forget that you are men; and you will remember that France, which has its eyes upon you, desires, above all things, respect for its feelings. You pronounce an infamous punishment against the nephew of the man to whom you owe every thing. You turn against the family of your benefactor, for benefits which he conferred upon you. Marshals, dukes, barons, who made you what you are? You will say your exploits, your services. Be it so; but it is to the magnificence of the empire, and to its liberality alone, that you owe, nearly all of you, the right of sitting in this assembly. (Great agitation.) Gentlemen, you have to pronounce on a question which is purely political; you are not judges, you are politicians. You will then send the accused again into exile—exile is the position which the law has created for him. Let the law be executed, and his exile recommence. Any other condemnation would be immoral in presence of the obligations which are imposed upon you, and, above all, with the reminiscences of your own lives.

The speech of M. Berryer appeared to have produced a profound impression upon the peers.

General Montholon now rose, and read from a paper which he held in his hand; but the agitation among the peers was so great that they could not hear him.

General Montholon then delivered over to M. de la Chauvinière, the assistant-registrar, a copy of the speech he had delivered, and which was read as follows:—

"Messieurs les Pairs.—Being at London on family affairs, I saw prince Napoleon. He spoke to me of his hopes of being able, by means of a national congress, to restore France to the concord which she had owed to the genius of his uncle. While I listened to him, I found myself in the presence of a living recollection of the meditations of St. Helena. The prince did not make me the confidant of his plans for his enterprise at Boulogne; it was not until I was in the packet that his confidence was entire. Gentlemen, I received at St. Helena the last sigh of the em-

peror. This is enough for me to say. That which I have done, many of you, I take delight in believing, would have done had you been in my place."

M. Berryer.—The defence of general Montholon will be confined to these few words—could he desert, on the shore of France, the nephew of the man whose eyes he closed at St. Helena? Now comes the question—Is it true, is it possible, that the general was ignorant of the intentions of the prince? General Montholon affirms it; the prince declared the same thing the moment after he was arrested. In the absence of all proof to the contrary you are bound to believe them. I now deposit in the hands of the president letters written from London to Paris, several months before the attempt, in which nothing is mentioned but the project of going into Belgium.

M. F. Banot, M. Delacour, and M. Barillon followed on behalf of the other prisoners, and the procureur general replied, he denounced M. Berryer's political advocacy, and contended that the principles he had laid down could not be tolerated in a country which had recognised the revolution of July.

Prince Louis observed, that the speech of the procureur general was very eloquent, but very useless. In confiding his defence to M. Berryer, he had fulfilled a duty to his birth, his family, and his country; but he did not wish his fate to be separated from that of his companions, and therefore he begged M. Berryer to say nothing further in reply to the procureur general.

Three days afterwards, the court re-assembled, and the following sentence was passed:—Prince Charles Louis Napoleon was sentenced to perpetual imprisonment in a fortress, situate on the continental territory of France; count Montholon and Charles Parquin twenty years "detention;" captain Voisin, Forestier, and Ornano to ten years, and colonel Montauban, and Orsi to five years. Lieutenant Aladenize was condemned to transportation, and various sentences were passed on others, some two or three being acquitted altogether.

PUBLIC DOCUMENTS.

I.—FINANCE ACCOUNTS.

II.—DOMESTIC.

III.—FOREIGN.

FINANCE ACCOUNTS

CLASS I. PUBLIC INCOME.
II. PUBLIC EXPENDITURE.
III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts Drawbacks, and Bounties in the Nature of Drawbacks, &c.	NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.	£. s. d.
Customs	21,484,120 19 6¾	316,546 17 1¾	21,167,574 2 5
Excise	13,668,578 9 6½	756,039 16 —	12,912,538 13 6½
Stamps (including Hackney Coach, and Hawkers and Pedlars' Licenses)	6,966,635 10 —	202,857 1 8	6,763,778 8 4
Taxes, under the Management of the Commissioners of Stamps and Taxes	3,939,107 6 2	6,417 16 8¾	3,932,689 9 5¼
Post Office	2,267,114 17 7½	104,199 17 10½	2,162,914 19 9
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	6,256 7 11	.. ..	6,256 7 11
Crown Lands	357,815 7 2	.. ..	357,815 7 2
Small Branches of the Hereditary Revenue	18,601 5 11	.. ..	18,601 5 11
Surplus Fees of Regulated Public Offices	60,619 19 —	.. ..	60,619 19 —
TOTALS of Ordinary Revenues	48,768,850 2 10¾	1,386,061 9 5	47,382,788 13 5¾
EXTRAORDINARY RESOURCES.			
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of her Majesty's Forces serving in India, per Act 4 Geo. 4, c. 71	60,000 0 0	.. ..	60,000 0 0
From the Trustees of the King of the Belgians, the Amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold	35,000 0 0	.. ..	35,000 0 0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	51,864 3 5	.. ..	51,864 3 5
TOTALS of the Public Income of the United Kingdom	48,915,714 6 3¾	1,386,061 9 5	47,529,652 16 10¾

FOR THE YEAR 1840.

Class IV. Public Funded Debt.
V. Unfunded Debt.
VI. Trade and Navigation.

FOR THE YEAR ENDED 5TH JANUARY, 1840.

TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1840.	TOTAL Discharge of the Income.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
21,652,604 12 11	1,340,641 7 6½	19,840,213 10 2	471,749 15 2½	21,652,604 12 11
13,361,372 17 7¼	929,938 8 2¾	11,952,252 — —	479,182 9 4½	13,361,372 17 7¼
6,986,992 5 5½	148,691 9 9¾	6,574,462 2 —	263,838 13 7¾	6,986,992 5 5½
3,986,176 5 1	214,361 13 9	3,711,795 11 6	60,018 19 10	3,986,176 5 1
2,306,049 8 4	647,257 1 —	1,519,000 — —	139,792 7 4	2,306,049 8 4
6,320 12 1	118 10 —	6,137 17 11	64 4 2	6,320 12 1
450,133 14 5¼	220,211 2 6¾	160,000 — —	69,922 11 10½	450,133 14 5¼
18,601 5 11	.. ..	18,601 5 11	.. ..	18,601 5 11
60,619 19 —	.. ..	60,619 19 —	.. ..	60,619 19 —
48,828,871 — 10	3,501,219 12 10¾	43,843,082 6 6	1,484,569 1 5¼	48,828,871 — 10
60,000 0 0	.. ..	60,000 0 0	.. ..	60,000 0 0
35,000 0 0	.. ..	35,000 0 0	.. ..	35,000 0 0
51,864 3 5	.. ..	51,864 3 5	.. ..	51,864 3 5
48,975,735 4 3	3,501,219 12 10¾	43,989,946 9 11	1,484,569 1 5¼	48,975,735 4 3

PUBLIC EXPENDITURE

Of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt in the Year ended 5th January, 1840.

EXPENDITURE.						
Payments out of the Income in its Progress to the Exchequer.	£.	s.	d.	£.	s.	d.
Charges of Collection	3,483,533	4	9			
Other Payments	599,063	—	8¼			
Total Payments out of the Income, in its progress to the Exchequer				4,082,596	5	5¼
Funded Debt.						
Interest and Management of the Permanent Debt	24,325,901	11	5			
Terminable Annuities	4,271,458	11	7			
Total Charge of the Funded Debt, exclusive of £7.707 1*s.* 9*d.*, the Interest on Donations and Bequests	28,597,360	2	—			
Unfunded Debt.						
Interest on Exchequer Bills	856,701	4	6			
				29,454,061	6	6
Civil List	386,545	16	3			
Annuities and Pensions for Civil, Naval, Military, and Judicial Services, charged by various Acts of Parliament on the Consolidated Fund	652,323	18	—			
Salaries and Allowances	233,258	13	7			
Diplomatic Salaries and Pensions	186,934	12	10			
Courts of Justice	708,137	10	6½			
Miscellaneous Charges on the Consolidated Fund	230,568	15	11			
				2,389,769	7	1½
Army	6,584,662	2	3			
Navy	5,490,204	3	—			
Ordnance	1,951,210	—	—			
Miscellaneous charges upon the annual Grants of Parliament (including the sum of £. 260,000; issued to the Tithe Owners in Ireland, per Act 1 & 2 Victoria, c. 109)	2,862,469	12	5			
Insurrection in Canada	647,000	—	—			
				17,493,545	17	8
Unclaimed Dividends				20,314	10	3
				53,440,287	6	11¾

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Year 1839, have been disposed of; distinguished under their several Heads; to 5th January 1840.

SERVICES.	SUMS Voted or Granted. £. s. d.	SUMS Paid. £. s. d.
NAVY	5,197,511 0 0	3,910,000 0 0
FORCES	6,638,267 0 0	4,875,000 0 0
ORDNANCE	1,732,240 0 0	1,208,000 0 0
To defray the Expenses of the Services in the Canadas, consequent upon the Insurrection in those provinces	1,000,000 0 0	647,000 0 0
To defray the Charge of the Civil Establishment of the Bahama Islands, and the Lighthouses there; to the 31st March 1840 ...	8,520 0 0	4,496 3 8
To defray the Charge of the Civil Establishment of the Bermudas, to the 31st March 1840	4,049 0 0	2,104 17 11
To defray the Charge of the Civil Establishment of Prince Edward's Island; to the 31st March 1840	3,070 0 0	1,589 7 8
To defray the Charges of the Civil Establishments on the Western Coast of Africa; to the 31st March 1840	9,980 0 0	—
To defray the Expense of the Settlement of Western Australia; to the 31st March 1840	5,707 0 0	225 0 0
To defray the Charge of the Ecclesiastical Establishment of the British North American Provinces; to the 31st March 1840 ...	11,790 0 0	—
To defray the Charge of the Establishment, and Pensions of the Indian Department, in Lower and Upper Canada; to the 31st March 1840	18,895 0 0	—
To defray the Charge of the Civil Establishment of Heligoland; to the 31st March 1840	4,163 0 0	261 14 11
To defray the Charge of the Civil Establishment at St. Helena, and of Pensions and Allowances to the Civil and Military Officers and Soldiers of the East India Company's late Establishments in that Island; to the 31st March 1840	16,000 0 0	— 3,899 17 2
To defray the Expenses of the Civil Government of Nova Scotia; to the 31st March 1840	2,400 0 0	1,868 19 7

SERVICES—*continued.*	SUMS Voted or Granted. £. s. d.	SUMS Paid. £. s. d.
To defray the Charge of Civil Contingencies, to the 31st March 1840	130,000 0 0	122,213 4 10
For Public Education in Great Britain, in the year 1839	30,000 0 0	11,522 0 0
For defraying the Charge of the British Museum; for the year ending Lady-day 1840	28,839 0 0	21,629 5 0
To defray the Charge of Salaries and Expenses of the two Houses of Parliament, and of Allowances to Retired Officers of the two Houses; to the 31st March 1840 ...	77,000 0 0	26,600 14 5
To pay the Salaries, Contingent and other Expenses of the Department of Her Majesty's Treasury; to the 31st March 1840 ...	48,000 0 0	31,792 19 9
To pay the Salaries and Expenses of the Office of her Majesty's Secretary of State for the Home Department; to the 31st March, 1840	19,580 0 0	15,200 0 0
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for Foreign Affairs, also of the Foreign Messengers attached to the Department; to the 31st March 1840 ...	56,117 0 0	29,708 0 0
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for the Colonies; to the 31st March 1840	17,678 0 0	10,500 0 0
To pay the Salaries and Expenses in the Department of Her Majesty's most Honourable Privy Council, and Committee of Privy Council for Trade; to the 31st March 1840	24,000 0 0	16,447 0 2
To defray the Charge of the Office of Her Majesty's Paymaster General; to the 31st March 1840	35,755 0 0	27,000 0 0
To pay the Salaries and Contingent Expenses in the Department of the Comptroller General of the Exchequer, the Paymaster of Exchequer bills and the Paymaster of Civil Services; to the 31st March 1840 ...	17,520 0 0	11,121 11 6
To defray the Charge of the Salaries and Allowances granted to certain Professors in the Universities of Oxford and Cambridge; to 31st March 1840	2,006 0 0	2,006 0 0
To defray the Charge of the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the Contingent Expenses of the Court and Office; to the 31st March 1840; also of the Expenses attendant upon the Circuit	12,500 0 0	7,100 0 0
To defray the Expense of the General Penitentiary at Milbank; to the 31st March 1840	17,000 0 0	5,178 0 0
To defray the Probable Expense of providing for the Prison for Juvenile Offenders at Parkhurst, in the Isle of Wight; to the 31st March, 1840	5,300 0 0	2,000 0 0
To defray the Charge of the Salaries and ex-		

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
penses of the State Paper Office; to the 31st March 1840	2,137	0	0	317	12	1
To defray the Expenses of the Commission for digesting the several Statutes relating to Criminal and other Law	5,100	0	0	—		
To defray the Expenses of the Commission for inquiring into the Condition of the unemployed Hand-loom Weavers; to its final close	1,465	0	0	1,465	0	0
To defray to the 31st March, 1840, the Charge of the Salaries of Her Majesty's Consuls-General, Consuls, and Vice-Consuls abroad, and of the Superintendents of Trade at Canton; also of the Contingent Expenses connected with the Public Duties of such Consuls General, Consuls, and Vice-Consuls, and Superintendents of Trade ...	103,618	0	0	62,907	14	1
To defray the Charge of Allowances and Compensations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; to the 31st March, 1840...	87,785	0	0	43,979	8	5
To defray, to the 31st March 1840, the Expense of Works and Repairs of Public Buildings, and for Furniture, and for certain Charges for Lighting and Watching, and for Rates and Taxes, also for the Maintenance and Repairs of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List	84,066	0	0	26,000	0	0
To defray the Expense of Works and Repairs at the Harbour of Kingstown; to the 31st March 1840	10,000	0	0	5,000	0	0
To defray the Expense of the improvement of the Holyhead and Liverpool Roads, Holyhead Harbour, and of repairs to the Menai Bridge; to the 31st March 1840 ...	16,500	0	0	—		
To defray the Charge of Works and Fittings at the New Buildings at the British Museum; to the 31st March 1840 ..	11,250	0	0	—		
To defray the Expense of providing Temporary Accommodation for the Houses of Parliament, Committee-rooms, Offices and Temporary Official Residences for the Speaker of the House of Commons and other Officers of that House; to the 31st March 1840	6,938	0	0	—		
To defray, to the 31st March 1840, the Expense of the Works at the new Houses of Parliament	50,300	0	0	—		
To defray the Expense of alterations at the General Penitentiary, Milbank, to prepare the Building for the reception of an additional number of Prisoners	1,110	0	0	—		
To complete the building, alteration, and fit-						

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
ting of the Prison for Juvenile Offenders at Parkhurst, in the Isle of Wight	4,180	0	0	4,180	0	0
To defray the Expense of the New Post-Office at Glasgow	8,000	0	0	5,500	0	0
To pay the Salaries and Expenses incurred by the Ecclesiastical Commissioners for England; to the 31st March, 1840	2,500	0	0	485	13	9
To defray, in the year 1839, the Charge of Salaries and Expences of the Commissioners for carrying into execution the Act for the Amendment of the Laws relating to the Poor in England and Wales, and the Act for the Relief of the Destitute Poor in Ireland	64,850	0	0	55,260	9	10
To pay to the 31st March, 1840, the Salaries and Incidental Expenses of the Commissions appointed on the part of Her Majesty under the Treaties with Foreign Powers for preventing the illegal Traffic in Slaves ...	14,700	0	0	5,000	0	0
To defray the Salaries and Expenses of the Inspectors and Superintendents of Factories; to the 31st March, 1840	8,850	0	0	5,180	12	11
To defray the Salaries and Expenses of the Inspectors of Prisons; to the 31st March, 1840	5,600	0	0	1,422	9	2
To defray the Expenditure of the several Branches of the Mint; to the 31st March, 1840	51,175	0	0	20,000	0	0
To enable Her Majesty to grant Relief, to the 31st March, 1840, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from Her Majesty, and who, for Services performed or Losses sustained in the British Service, have special Claims on Her Majesty's justice and liberality ..	8,500	0	0	2,000	0	0
To defray the Expense of the National Vaccine Establishment for the Year 1839 ..	1,850	0	0	1,850	0	0
For the Support of the Institution called "The Refuge for the Destitute," for the Year 1839	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics in the Buildings attached to Bethlem Hospital; to the 31st March, 1840	3,073	0	0	—		
To pay to the 31st March, 1840, the usual Allowances to Protestant Dissenting Ministers in England, Poor French Refugee Clergy, Poor French Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin's-in-the-Fields and others	4,200	0	0	—		
To defray, to the 31st March 1840, Law Expenses, Grants to Scottish Universities, and other Charges, formerly paid out of the						

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
Hereditary Revenues, and not provided for out of Her Majesty's Civil List, nor out of the Consolidated Fund	68,000	0	0	24,540	19	2
To defray the Charge of Her Majesty's Foreign and other Secret Services; to the 31st March, 1840	39,900	0	0	25,725	0	0
To defray the Expense of providing Stationery, Printing, and Binding for the several Departments of Government in England, Scotland, and Ireland, and in the Colonies, and for providing Stationery, Binding, Printing, and Paper for Printing for the two Houses of Parliament, including the Expense of the Stationery Office; to the 31st March, 1840	208,517	0	0	136,199	13	7
To defray the Expense of Law Charges, in the year 1839-40	16,00 0	0	0	15,000	0	0
To defray the Expense of providing for the Convict Hulk Establishment at Home and at Bermuda; to the 31st March, 1840 ...	66,660	0	0	10,004	15	5
To defray the Charge of maintaining Convicts at New South Wales and Van Diemen's Land; to the 31st March, 1840 ...	235,000	0	0	620	8	9
To defray Expenses for the Support of captured Negroes and liberated Africans, under the Acts for the Abolition of the Slave Trade; to the 31st March, 1840 ..	25,000	0	0	20,636	18	4
To defray the Expense of Binding, Cleaning, Repairing, and Indexing the Public Records, and to pay the Salaries of the Persons employed upon Services connected with the Public Records; to the 31st March 1840	10,000	0	0	4,325	0	0
To pay to the 31st March, 1840, the Allowances and Expenses of the Barristers employed in revising Lists of Voters, under the Act to amend the Representation of the People in England and Wales ...	31,000	0	0	29,894	19	10
To defray, to the 31st March, 1840, the Expenses incurred by Sheriffs, formerly paid from Civil Contingencies; also, to make good the Deficiency of the Fees in the Office of the Queen's Remembrancer, in the Exchequer, and to pay the Salaries and ancient Allowances of certain Officers of the Court of Exchequer	11,300	0	0	6,627	16	5
To defray, in the year 1839, certain Charges heretofore paid out of County Rates ...	80,000	0	0	41,971	16	6
For the Payment of the Subsistence of the Polish Refugees; to the 31st March 1840 ..	15,000	0	0	9,570	0	0
To enable the Trustees of the British Museum to purchase for that Institution Dr. Mantell's Collection of Geology, &c., and Signor D'Anastases Collection of Egyptian Antiquities	5,812	0	0	5,812	0	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
For the Purchase, in the year 1839, of Pictures for the National Gallery	7,350	0	0	7,350	0	0
To pay Compensation to Individuals, Subjects of Her Majesty, for Losses sustained by Confiscation of their Goods on Shore, by Act of the Danish Government, in 1807 ...	87,481	0	0	87,481	0	0
Towards defraying the Expense of Steam Communication to India, by way of the Red Sea; to the 31st March, 1840	50,000	0	0	—		
To defray the Charge of New Buildings at the British Museum in the year 1839 ...	10,250	0	0	7,404	0	0
To defray the Charge of repairing the Damage sustained by Port Patrick Harbour in the Storm of the 6th and 7th days of January, 1839	3,900	0	0	3,222	17	6
Towards defraying the Expense of erecting a Model Prison, in the year 1839 ..	25,000	0	0	—		
To defray the Expenses of the University of London; to the 31st March, 1840 ..	4,700	0	0	3,000	0	0
To defray the Expenses of the School of Design at Somerset House, for one year ...	1,300	0	0	650	0	0
For the Expense of the Poor-Law Commission to the 31st March 1840, in consequence of the appointment of additional Officers in Ireland	8,500	0	0	—		
To defray, in the year 1839, the Expenses of Metropolitan Police Officers sent to different Parts of the Country	10,000	0	0	—		
To enable Her Majesty to pay the Compensation awarded to Subjects of the United States of America, for Slaves wrecked in the American ships "Comet" and "Encomium," and liberated at Nassau, in the Bahamas ...	23,500	0	0	23,500	0	0
To defray Law Expenses and other Charges in Scotland, in the year 1839	11,500	0	0	—		
To defray the Charge of the Salaries of the Governors, Lieutenant-Governors, and others in Her Majesty's West India Colonies; to the 31st March 1840	18,667	0	0	4,483	0	0
To defray the Charge of Salaries and Allowances and Contingencies of the Stipendiary Justices in the West Indies, Mauritius, and Cape of Good Hope, to the 31st March 1840	58,700	0	0	—		
To defray in the year 1839, such Expenses as Her Majesty may incur in aiding the Local Legislatures in providing for the Religious and Moral Instruction of the emancipated Negro Population	30,000	0	0	20,565	3	8
For the Salaries of the Agents for Emigration; to the 31st March, 1840	3,540	0	0	2,484	5	11
To defray, the Charge of the Repair and Maintenance of the Rideau Canal, in Canada, in the year 1839	6,063	0	0	—		
To enable the Lord Lieutenant of Ireland to						

SERVICES.—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
issue Money for the advancement of Education in Ireland; to the 31st March 1840 ...	50,000	0	0	—		
To defray the Expense of the Foundling Hospital in Dublin; to the 31st March 1840	11,100	0	0	4,966	19	5
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, and the Four General Hospitals attached; to the 31st March 1840.	20,000	0	0	13,772	0	0
In aid of the Funds of the Hibernian Marine Society in Dublin; to 31st March 1840	150	0	0	150	0	0
To defray the Expense of the Female Orphan House, Circular-road, Dublin; to the 31st March 1840	1,000	0	0	700	0	0
To defray the Expense of the Westmoreland Lock Hospital; to the 31st March 1840 ...	2,500	0	0	2,200	0	0
To defray the Expense of the Lying-in Hospital in Dublin; to the 31st March 1840 ...	1,000	0	0	1,000	0	0
To defray the Expense of Dr. Steven's Hospital in Dublin; to the 31st March 1840	1,500	0	0	1 500	0	0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; to the 31st March 1840	3,800	0	0	3,400	0	0
To defray the Expense of the Hospital for Incurables; to the 31st March 1840 ...	500	0	0	500	0	0
To defray the Charge of the Roman Catholic College; to the 31st March 1840 ...	8,928	0	0	6,696	0	0
To defray the Expense of the Royal Irish Academy; to the 31st March 1840 ...	300	0	0	300	0	0
To defray the Expense of the Royal Hibernian Academy; to the 31st March 1840 ...	300	0	0	300	0	0
To defray the Expense of the Royal Dublin Society; to the 31st March 1840 ...	5,300	0	0	3,975	0	0
To defray the Salaries and Expenses of the Commissioners of Charitable Donations and Bequests in Ireland; to the 31st March 1840	700	0	0	—		
To defray the Salaries and Expenses of the Royal Belfast Academical Institution; to the 31st March 1840	1,950	0	0	975	0	0
To defray the Expenses of Public Buildings, &c. in the Department of the Commissioners of Public Works in Ireland; to the 31st March 1840	17,180	0	0	10,487	0	0
To pay the Salaries and Expenses of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and Her Majesty's Privy Council Office in Ireland, and of Printing for the Public Offices in Ireland; to the 31st March 1840 ...	22,328	0	0	14,028	0	0
To defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services formerly						

SERVICES—*continued.*				SUMS Voted or Granted.			SUMS Paid.		
				£.	s.	d.	£.	s.	d.
charged on the civil list in Ireland; to the 31st March 1840				12,389	0	0	10,337	2	6
To defray the Charge of the Office of Paymaster of Civil Services in Ireland; to the 31st March 1840				4,436	0	0	3,176	0	1
To defray the Charge for publishing Proclamations and Printing the Statutes in Ireland; to the 31st March, 1840				4,150	0	0	1,544	16	4
To defray the Expense of Non-conforming, Seceding and Protestant Dissenting Ministers in Ireland; to the 31st March 1840 ...				31,661	0	0	23,735	15	0
To defray the Charge of Criminal Prosecutions and other Law Charges in Ireland; to the 31st of March 1840				60,000	0	0	59,996	8	11
Towards defraying the Charge of the Public Offices and Metropolitan Police of Dublin; to the 31st of March 1840				33,963	0	0	18,860	0	0
To defray the Expense of the Board of Public Works in Ireland; to the 31st March 1840				3,141	0	0	2,115	0	0
To defray the Expense of the Townland Survey of Ireland; to the 31st March 1840 ...				7,000	0	0	—		
To defray the Expense of the Commission for Reporting upon the best system of Railways for Ireland to the 31st March 1840 ...				7,142	11	0	7,142	11	0
				17,219,692	11	0	11,920,952	1	6
To pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the year 1839	£. 24,026,050	s. 0	d. 0*	24,026,050	0	0	12,721,500	0	0
			£	41,245,742	11	0	24,642,452	1	6

* Of these sums, £ 1,469,400, having been subscribed to be funded, will not be required.

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January 1840.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. III. c. 45	3,000	0	0	—	—	
For Interest on Exchequer Bills, charged on the Aids or Supplies	425,469	0	0	239,887	17	1
	428,469	0	0	239,887	17	1
				428,469	0	0
TOTAL Services not voted				668,356	17	1
AMOUNT of Sums voted				41,245,742	11	0
TOTAL Grants and other Services				41,914,099	8	1

WAYS AND MEANS

for answering the foregoing Services:

	£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 2 Vict. c. 6	8,000,000	0	0
- - - - Ditto - - - - - - - 2 & 3 Vict. c. 89	5,796,000	0	0
Duty on Sugar, per Act 2 & 3 Vict. c. 21	3,000,000	0	0
Surplus of Ways and Means, per Act 2 & 3 Vict. c. 89 ...	108,052	11	9
	16,904,052	11	9
Exchequer Bills, voted in Ways and Means, per Act 2 Vic. c. 8 ... ... £13,000,000			
- - - - Ditto - - - 2 & 3 Vict. c. 90 12,026,050			
	25,026,050	0	0*
	41,930,102	11	9
Total Grants and other Services not voted ...	41,914,099	8	1
Surplus of Ways and Means	16,003	3	8

* Of this sum, £ 1,469,400 will not be raised, in consequence of a similar sum of Exchequer Bills in Supply having been funded.

PUBLIC

Of GREAT BRITAIN and IRELAND, and the DEBT.

	1. CAPITALS.	2. CAPITALS transferred to the Commissioners.	3. CAPITALS UNREDEEMED.
GREAT BRITAIN.	£. s. d.	£. s. d.	£. s. d.
Debt due to the South Sea Company ..... at £. 3 per cent	3,662,784 8 6½	- - -	3,662,784 8 6½
Old South Sea Annuities ..... Do.	3,497,870 2 7	- - -	3,497,870 2 7
New South Sea Annuities ..... Do.	2,460,830 2 10	- - -	2,460,830 2 10
South Sea Annuities, 1751 ..... Do.	523,100 0 0	- - -	523,100 0 0
Debt due to the Bank of England Do.	11,015,100 0 0	- - -	11,015,100 0 0
Bank Annuities, created in 1726.. Do.	826,636 0 0	1,384 1 0	825,351 19 0
Consolidated Annuities..... Do.	362,800,248 16 1¼	576,053 14 9	362,224,195 1 4¼
Reduced Annuities..... Do.	127,026,490 7 7	880,589 14 1	126,145,900 13 6
Total at £. 3 per cent..	511,813,059 17 7¾	1,458,027 9 10	510,355,032 7 9¾
Annuities .. .. at £. 3½ per cent. 1818..	10,414,266 6 0	1,333 7 6	10,412,932 18 6
Reduced 3½ per cent Annuities	66,169,787 1 11	24,594 14 7	66,145,192 7 4
New 3½ per cent Annuities	145,316,162 7 3	6,713 15 9	145,309,448 11 6
New £. 5 per cent Annuities	427,088 13 4	- - -	427,088 13 4
Total, Great Britain.....	734,140,364 6 1¾	1,490,669 7 8	732,649,694 18 5¾
IN IRELAND.			
Irish Consolidated £. 3 per cent Annuities.	3,280,239 15 3	- - -	3,280,239 15 3
Irish Reduced £. 3 per cent Annuities	113,049 8 10	- - -	113,049 8 10
£. 3½ per cent Debentures and Stock	14,524,541 16 5	- - -	14,524,541 16 5
Reduced £. 3½ per cent Annuities	953,333 7 3	- - -	953,333 7 3
New 3½ per cent Annuities	12,389,395 5 6	- - -	12,389,395 5 6
Debt due to the Bank of Ireland, at £. 4 per cent.....	1,615,384 12 4	- - -	1,615,384 12 4
New £. 5 per cent Annuities	6,661 1 0	- - -	6,661 1 0
Debt due to the Bank of Ireland, at £. 5 per cent.....	1,015,384 12 4	- - -	1,015,384 12 4
Total, Ireland.....	33,897,989 18 11	- - -	33,897,989 18 11
Total, United Kingdom.....	768,038,354 5 0¾	1,490,669 7 8	766,547,684 17 4¾

ABSTRACT.

*(*** Shillings and Pence omitted.)*

	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE.		
				Due to the Public Creditor	Management.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain ..	734,140,364	1,490,669	732,649,694	27,389,152	159,833	27,548,985
Ireland.....	33,897,989	- - -	33,897,989	1,199,808	—	1,199,808
Total	768,038,354	*1,490,669	766,547,684	28,588,961	159,833	28,748,794

	£.	s.	d.
* On account of Donations and Bequests	261,382	10	11
Do. of Stock unclaimed 10 years or upwards	293,686	16	9
Do. of Unclaimed Dividends	935,600	-	-
	1,490,669	7	8

FUNDED DEBT.

CHARGE thereupon, at the 5th January, 1840.

CHARGE.

	IN GREAT BRITAIN.	IN IRELAND.	TOTAL ANNUAL CHARGE
	£. s. d.	£. s. d.	£. s. d.
Due to the Public Creditor. Payable at the National Debt Office. Annual Interest on Unredeemed Capital	23,097,370 9 9¾	1,192,870 16 2½	
Long Annuities, expire 1860	1,294,232 1 3	114 10 0	
Annuities per 4 Geo. 4, c. 22, do. 1867	585,740 0 0	—	
Annuities per 10 Geo. 4, c. 24, and 3 Will. 4 c. 14, expire at various periods	1,500,029 19 6	—	
Life Annuities per 48 Geo. 3, c. 142, 10 Geo. 4, c. 24, and 3 Will. 4, c. 14	858,333 10 6	—	
Tontines and other Life Annuities per various Acts. English	19,216 2 10	—	
Irish	34,230 8 7	6,823 7 3	
	27,389,152 12 5¾	1,199,808 13 5½	
Management	159,833 1 9	—	
Total Annual Charge	27,548,985 14 2¾	1,199,808 13 5½	28,748,794 7 8

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly received by the Commissioners to be applied to the reduction of the said Debt including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.	Donations and Bequests.
Applicable between	£. s. d.	£. s. d.
5th April and 5th July, 1839	—	504 5 11
5th July and 10th October, 1839	—	3,352 16 1
10th October, 1839, and 5th January, 1840	—	558 11 10
5th January and 5th April, 1840	—	3,352 16 1
£	Nil.	7,768 9 11

UNFUNDED DEBT.

An Account of the Unfunded Debt of Great Britain and Ireland, and of the Demands outstanding on 5th January, 1840.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills	-	-	-	20,951,550	-	-	20,951,550	-	-
Sums remaining unpaid charged upon Aids granted by Parliament	5,756,214	12	7	-	-	-	5,756,214	12	7
Total Unfunded Debt and Demands outstanding	5,756,214	12	7	20,951,550	-	-	26,707,764	12	7
Ways and Means	5,832,243	17	8						
Surplus	76,029	5	1						
Deduct the amount of Exchequer Bills paid off out of Ways and Means, Money Grants, but which it is not proposed to replace by the issue of Exchequer Bills...	74,500	-	-						
Surplus of Ways and Means	1,529	5	1						
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund at 5th January 1840	-	-	-	6,451,259	9	11	6,451,259	9	11

TRADE OF THE UNITED KINGDOM.

An Account of the Value of the Imports into, and of the Exports from, the United Kingdom of Great Britain and Ireland, during each of the Three Years ending the 5th of January 1840:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom.	VALUE OF EXPORTS from the UNITED KINGDOM.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1838	54,737,301	72,548,047	13,233,622	85,781,669	42,069,245
1839	61,268,320	92,459,231	12,711,318	105,170,549	50,060,970
1840	62,004,000	97,402,726	12,795,990	110,198,716	53,233,580

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

An Account of the Value of the Imports into, and of the Exports from, Great Britain, during each of the Three Years ending the 5th of January 1840: calculated at the Official Rates of Valuation, and stated exclusive of the Trade with Ireland:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom exported from Great Britain, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain.	VALUE OF EXPORTS from GREAT BRITAIN.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1838	53,224,874	72,312,207	13,223,331	85,535,538	41,766,205
1839	59,878,905	92,107,898	12,702,660	104,810,558	49,640,896
1840	60,346,066	96,947,122	12,779,057	109,726,179	52,701,509

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1838, 1839, and 1840 respectively.

—	Year ending 5th Jan. 1838.		Year ending 5th Jan. 1839.		Year ending 5th Jan. 1840.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	936	131,171	1,089	157,255	1,217	181,301
Isles Guernsey, Jersey, and Man	69	4,751	58	4,204	61	5,602
British Plantations	510	71,306	606	79,947	368	47,898
TOTAL	1,515	207,228	1,753	241,406	1,646	234,801

Note.—The Account rendered for the Plantations for the year ending 5th January 1839, is now corrected; and as several Returns for that part of the empire are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1837, 1838, and 1839, respectively.

—	On 31st Dec. 1837.			On 31st Dec. 1838.			On 31st Dec. 1839.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	19,936	2,296,227	139,232	20,300	2,383,484	143,007	21,037	2,531,005	151,790
Isles of Guernsey, Jersey, & Man.	600	37,294	4,230	612	37,275	4,350	633	39,630	4,473
British Plantations	5,501	457,497	30,044	5,697	469,842	31,226	6,075	497,798	35,020
TOTAL	26,037	2,791,018	173,506	26,609	2,890,601	178,583	27,745	3,068,433	191,283

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages,) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1840.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM,
From Foreign Parts.

YEARS ending 5th January.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1838	15,155	2,617,166	146,319	7,343	1,005,940	56,778	22,498	3,632,106	203,097
1839	16,119	2,785,387	154,499	8,679	1,211,666	68,891	24,798	3,997,053	223,390
1840	17,635	3,101,650	170,339	10,326	1,331,365	79,550	27,961	4,433,015	249,889

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM,
To Foreign Parts.

	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1838	14,567	2,547,227	148,632	7,461	1,036,738	57,971	22,028	3,583,965	206,603
1839	15,907	2,876,236	162,763	8,520	1,222,803	68,386	24,427	4,099,039	231,149
1840	17,066	3,096,611	173,806	10,698	1,398,096	79,818	27,764	4,494,707	253,624

NAVIGATION OF GREAT BRITAIN.

New Vessels Built.

	Year ending 5th Jan. 1838.		Year ending 5th Jan. 1839.		Year ending 5th Jan. 1840.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	733	105,318	857	127,096	951	144,500
Scotland	165	22,562	192	27,542	217	32,717
Isle of Guernsey	12	748	13	1,320	11	1,480
— Jersey	15	1,632	11	1,560	18	2,286
— Man	42	2,371	34	1,324	32	1,836
British Plantations	510	71,306	606	79,947	368	47,878
Total	1,477	203,937	1,713	258,789	1,597	230,717

Vessels Registered.

	On the 31st December 1837.			On the 31st December 1838.			On the 31st December 1839.		
	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.
England	14,998	1,821,994	105,075	15,245	1,880,733	107,791	15,830	1,983,522	114,593
Scotland	3,244	334,870	24,292	3,279	351,233	24,933	3,318	387,194	25,909
Isle of Guernsey	90	9,280	678	98	10,025	725	105	11,775	832
— Jersey	245	21,107	2,165	241	20,338	2,222	246	20,763	2,198
— Man	265	6,907	1,387	273	6,912	1,403	282	7,092	1,443
British Plantations	5,501	457,497	30,044	5,697	469,842	31,226	6,075	497,798	35,020
Total	24,343	2,615,655	163,641	24,833	2,739,073	168,300	25,856	2,899,144	179,995

The Finance Accounts for two years are given in this Volume; for these reasons—while the Finance Accounts were made up to the 5th April of each year, each Volume of this Work could only contain an abstract of those completed in the year which it recorded; but when, by a new arrangement they were made up to the 5th January, there was no reason why each Volume should not contain those which related to the year (less five days), which was the subject; thus the Volume for the year 1828 *contained the Finance Accounts for the year, commencing 6th April,* 1827, *and ending 5th April,* 1828, *while the Volume for* 1838 *contained those for the year, commencing 6th January,* 1837, *and ending 5th January,* 1838, *being (saving five days), a whole year behind. In future, the current Volume will present to the reader the Financial Documents relating to the period of which it treats.*

FINANCE ACCOUNTS

CLASS I. PUBLIC INCOME.
II. PUBLIC EXPENDITURE.
III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.	NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.	£. s. d.
Customs	23,657,943 8 —¼	316,130 3 8¾	23,341,813 4 3¾
Excise	15,628,818 14 —¾	843,224 6 9	14,785,594 7 3¼
Stamps (including Hackney Coach, and Hawkers and Pedlars' Licenses)	7,511,543 17 3¾	223,720 15 10½	7,287,823 1 5½
Taxes, under the Management of the Commissioners of Stamps and Taxes	4,157,423 16 11½	5,135 1 8½	4,152,287 15 3
Post Office	1,392,934 19 3	50,330 14 1	1,342,604 5 2
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	5,465 17 —	.. ..	5,465 17 —
Crown Lands	482,421 8 1½	.. ..	482,421 8 1½
Small Branches of the Hereditary Revenue	4,519 4 8	.. ..	4,519 4 8
Surplus Fees of Regulated Public Offices	74,979 2 10	.. ..	74,979 2 10
TOTALS of Ordinary Revenues	52,916,049 8 3	1,438,541 2 1½	51,477,508 6 1½
EXTRAORDINARY RESOURCES.			
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of her Majesty's Forces serving in India, per Act 4 Geo. 4, c. 71	60,000 0 0	.. ..	60,000 0 0
From the Trustees of the King of the Belgians, the Amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold	34,000 0 0	.. ..	34,000 0 0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	91,694 19 0	.. ..	91,694 19 —
Money received from the Bank of England on Account of Unclaimed Dividends	30,307 2 8	.. ..	30,307 2 8
TOTALS of the Public Income of the United Kingdom	53,132,051 9 11	1,438,541 2 1½	51,693,510 7 9½

FOR THE YEAR 1841.

CLASS IV. PUBLIC FUNDED DEBT.
V. UNFUNDED DEBT.
VI. TRADE AND NAVIGATION.

FOR THE YEAR ENDED 5TH JANUARY, 1841.

TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1841.	TOTAL Discharge of the Income.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
23,897,537 14 —	1,602,768 16 10½	21,784,499 18 5	510,268 18 8¾	23,897,537 14 —
15,333,175 4 3¼	1,119,628 17 6½	13,751,968 12 3	461,577 14 5¾	15,333,175 4 3¼
7,564,668 2 3¾	164,098 7 6¾	7,168,624 19 2	231,944 15 7	7,564,663 2 3¾
4,212,306 15 1	212,823 11 1½	3,946,444 10 5	53,033 13 6½	4,212,306 15 1
1,537,526 8 —¾	876,677 — 5½	447,654 10 6	213,184 17 1½	1,537,526 8 —¾
5,530 1 2	103 4 —	5,362 13 —	64 4 2	5,530 1 2
552,344 — —	306,412 11 3	167,500 — —	78,431 8 9	552,344 —
4,519 4 8	.. ..	4,519 4 8	.. ..	4,519 4 8
74,979 2 10	.. ..	74,979 2 10	.. ..	74,979 2 10
53,182,586 12 4¾	4,282,517 8 9½	47,351,563 11 3	1,548,505 12 4½	53,182,586 12 4¾
60,000 0 0	.. ..	60,000 0 0	.. ..	60,000 0 0
34,000 0 0	.. ..	34,000 0 0	.. ..	34,000 0 0
91,694 19 0	.. ..	91,694 19 —	.. ..	91,694 19 —
30,307 2 8	.. ..	30,307 2 8	.. ..	30,307 2 8
53,398,588 14 —¾	4,282,517 8 9½	47,567,565 12 11	1,548,505 12 4½	53,398,588 14 —¾

PUBLIC EXPENDITURE

Of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt in the Year ended 5th January, 1841.

EXPENDITURE.		
Payments out of the Income in its Progress to the Exchequer.	£. s. d.	£. s. d.
Charges of Collection	3,549,009 15 5½	
Other Payments	733,507 13 3¾	
Total Payments out of the Income, in its progress to the Exchequer		4,282,517 8 9½
Funded Debt.		
Interest and Management of the Permanent Debt	24,494,276 8 11	
Terminable Annuities	4,244,444 9 8	
Total Charge of the Funded Debt, exclusive of £8,016. 1*s.* 5*d.*, the Interest on Donations and Bequests	28,738,720 18 7	
Unfunded Debt.		
Interest on Exchequer Bills	642,997 7 9	
		29,381,718 6 4
Civil List	387,742 17 9	
Annuities and Pensions for Civil, Naval, Military, and Judicial Services, charged by various Acts of Parliament on the Consolidated Fund	650,429 12 11	
Salaries and Allowances	252,797 3 9	
Diplomatic Salaries and Pensions	188,765 10 1	
Courts of Justice	716,234 — 2¾	
Miscellaneous Charges on the Consolidated Fund	237,556 15 11	
		2,433,526 — 7¾
Army	6,890,267 — —	
Navy	5,597,511 — —	
Ordnance	1,631,640 — —	
Miscellaneous charges upon the annual Grants of Parliament	2,523,625 1 2	
Insurrection in Canada	553,249 — —	
China Expedition	150,000 — —	
		17,346,292 1 2
		53,444,053 16 11

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Year 1840, have been disposed of; distinguished under the several Heads; to 5th January 1841.

SERVICES.	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
NAVY	5,824,074	0	0	4,310,000	0	0
FORCES	6,616,853	0	0	5,127,000	0	0
ORDNANCE	1,893,358	0	0	1,167,400	0	0
To defray the Expenses of the Services in the Canadas, consequent upon the Insurrection in those provinces	354,746	0	0	200,249	0	0
Towards defraying the Expenses of the Expedition to China	173,442	0	0	150,000	0	0
To defray the Charge of the Civil Establishment of the Bahama Islands, and the Lighthouses there; to the 31st March 1841 ...	3,520	0	0	2,982	9	3
To defray the Charge of the Civil Establishment of the Bermudas, to the 31st March 1841	4,049	0	0	2,105	11	3
To defray the Charge of the Civil Establishment of Prince Edward's Island; to the 31st March 1841	3,070	0	0	1,562	9	9
To defray the Charge of the Civil Establishments on the Western Coast of Africa; to the 31st March 1841	10,380	0	0	—		
To defray the Expense of the Settlement of Western Australia; to the 31st March 1841	7,099	0	0	240	0	0
To defray the Charge of the Ecclesiastical Establishment of the British North American Provinces; to the 31st March 1841 ...	11,790	0	0	—		
To defray the Charge of the Indian Department, in Canada; to the 31st March 1841	18,895	0	0	—		
To defray the Charge of the Salaries of the Governors, Lieutenant-Governors, and others in Her Majesty's West India Colonies; to the 31st March 1841	23,265	0	0	10,414	12	7
To defray the Charge of the Civil Establishment of Heligoland; to the 31st March 1841	963	0	0	—		
To defray the Charge of the Civil Establishment at St. Helena, and of Pensions and Allowances to the Civil and Military Officers of the East India Company's late Establishments in that Island; to the 31st March 1841	14,500	0	0	2,099	17	2

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expenses of the Civil Government of Nova Scotia; to the 31st March 1841	3,900	0	0	2,243	19	7
To defray the Charge of Civil Contingencies, to the 31st March 1841	130,000	0	0	63,069	17	3
To defray, to the 31st March 1841, the Expense of Works and Repairs of Public Buildings, and for Furniture, &c., for various Public Departments, and for certain Charges for Lighting and Watching, and for Rates and Taxes, also for the Maintenance and Repairs of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List	88,629	0	0	45,481	18	6
To defray the Expense of Fittings at the Chapel Royal, and other Parts of St. James's Palace, and other Expenses connected with Her Majesty's Marriage	9,226	0	0	9,266	0	0
To defray the Expense of Works and Repairs at the Harbour of Kingstown; to the 31st March 1841	10,000	0	0	7,000	0	0
To defray the Expense of the improvement of the Holyhead and Liverpool Roads, Holyhead Harbour, and for repairs to the Conway Bridge; to the 31st of March 1841	5,435	0	0	—		
To defray the Expense of Works and Fittings at the New Buildings at the British Museum; to the 31st March 1841 ..	25,250	0	0	6,904	0	0
To defray the Expense of providing Temporary Accommodation for the Houses of Parliament, Committee-rooms, Offices and Temporary Official Residences for the Speaker of the House of Commons and other Officers of that House; to the 31st March 1841	18,593	0	0	9,000	0	0
To defray, to the 31st March 1841, the Expense of the Works at the new Houses of Parliament	30,000	0	0	—		
Towards defraying, in the Year 1840, the Expense of erecting a Model Prison	20,000	0	0	3,458	7	8
For the Expenses of the Museum of Economic Geology; to the 31st March, 1841 ..	2,800	0	0	2,800	0	0
To defray the Charge of Salaries and Expenses of the two Houses of Parliament, and of Allowances to Retired Officers of the two Houses; to the 31st March 1841 ...	70,000	0	0	19,797	15	2
To pay the Salaries, Contingent and other Expenses of the Department of Her Majesty's Treasury; to the 31st March 1841 ...	51,000	0	0	35,428	19	8
To pay the Salaries and Expenses of the Office of her Majesty's Secretary of State for the Home Department; to the 31st March, 1841	19,300	0	0	17,392	4	0
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of						

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
State for Foreign Affairs, and also of the Foreign Messengers attached to the Department; to the 31st March 1841 ...	103,234	0	0	72,546	18	7
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for the Colonies; to the 31st March, 1841	24,000	0	0	6,438	7	2
To pay the Salaries and Expenses in the Department of Her Majesty's most Honourable Privy Council, and Committee of Privy Council for Trade; to the 31st March 1841	26,300	0	0	19,196	18	11
To pay the Salary of the Lord Privy Seal; to the 31st of March, 1841	2,423	0	0	1,423	0	0
To defray the Charge of the Office of Her Majesty's Paymaster General; to the 31st March 1841	34,000	0	0	25,000	0	0
To pay the Salaries and Contingent Expenses in the Departments of the Comptroller General of the Exchequer, the Paymasters of Exchequer bills and the Paymaster of Civil Services; to the 31st March 1841 ...	17,786	0	0	10,706	7	3
To defray the Charge of the Salaries and Allowances granted to certain Professors in the Universities of Oxford and Cambridge; to 31st March 1841	2,006	0	0	2,006	0	0
To defray the Charge of the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the Contingent Expenses of the Court and Office; to the 31st March 1841; also of the Expenses attendant upon the Circuit	13,358	0	0	8,240	0	0
To defray the Expense of the General Penitentiary at Milbank; to the 31st March 1841	15,000	0	0	6,750	0	0
To defray the Expense of the Prison for Juvenile Offenders at Parkhurst, in the Isle of Wight; to the 31st March, 1841	5,807	0	0	1,700	0	0
To defray the Charge of the Salaries and expenses of the State Paper Office; to the 31st March 1841	2,351	0	0	225	6	2
To defray the Expenses of the Ecclesiastical Commissioners for England; to the 31st March, 1841	3,000	0	0	183	11	5
To defray the Charge of Salaries and Expenses of the Commissioners for carrying into execution the Act for the Amendment of the Laws relating to the Poor in England and Wales, and the Act for the Relief of the Destitute Poor in Ireland; to the 31st March, 1841	67,000	0	0	50,173	11	7
To pay to the 31st March, 1841, the Salaries and Incidental Expenses of the Commissioners appointed on the part of Her Majesty under the Treaties with Foreign Powers for preventing the illegal Traffic in Slaves ...	15,000	0	0	5,000	0	0

SERVICES—*continued.*	SUMS Voted or Granted. £. s. d.	SUMS Paid. £. s. d.
To defray to the 31st March, 1841, the Charge of the Salaries of Her Majesty's Consuls-General, Consuls, and Vice-Consuls abroad, and of the Superintendents of Trade in China; also of the Contingent Expenses connected with the Public Duties of such Consuls-General, Consuls, and Vice-Consuls, and Superintendents of Trade ...	105,831 0 0	69,597 16 3
To defray the Salaries and Expenses of the Inspectors and Superintendents of Factories; to the 31st March, 1841	9,000 0 0	4,984 14 0
To defray the Salaries and Expenses of the Inspectors of Prisons; to the 31st March, 1841	5,900 0 0	1,338 15 6
To defray the Expenditure of the several Branches of the Mint; to 31st March, 1841	48,817 0 0	20,000 0 0
To defray the Charge of Allowances and Compensations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; to the 31st March, 1841...	90,950 0 0	50,568 11 7
To enable Her Majesty to grant Relief, to the 31st March, 1841, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Royalists, and others who have heretofore received Allowances from Her Majesty, and who, for Services performed or Losses sustained in the British Service, have special Claims on Her Majesty's justice and liberality ..	8,000 0 0	1,000 0 0
To defray the Expense of the National Vaccine Establishment for the Year 1840 ..	1,850 0 0	1,850 0 0
For the Support of the Institution called "The Refuge for the Destitute," for the Year 1840	3,000 0 0	3,000 0 0
To defray the Expense of confining and maintaining Criminal Lunatics in the Buildings attached to Bethlem Hospital; to the 31st March, 1841	3,390 0 0	—
To pay to the 31st March, 1841, the usual Allowances to Protestant Dissenting Ministers in England, Poor French Refugee Clergy, Poor French Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin's-in-the-Fields and others	4,100 0 0	—
To defray the Charge of Her Majesty's Foreign and other Secret Services; to the 31st March, 1841	39,900 0 0	18,307 13 8
To defray the Expense of providing Stationery, Printing, and Binding for the several Departments of Government in England, Scotland, and Ireland, and in the Colonies, and for providing Stationery, Binding, Printing, and Paper for Printing for the two Houses of Parliament, including the Expenses of the Stationery Office; to the 31st March, 1841	222,529 0 0	127,389 8 3

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To defray the Expense of Law Charges, to the 31st March, 1841	35,000	0	0	35,000	0	0
To defray the Expense of the Convict Hulk Establishment at Home and at Bermuda; to the 31st March, 1841	73,075	0	0	16,904	15	6
To defray the Charge of maintaining Convicts at New South Wales and Van Diemen's Land; to the 31st March, 1841 ...	235,000	0	0	—		
To defray Expenses for the Support of captured Negroes and liberated Africans, under the Acts for the Abolition of the Slave Trade; to the 31st March, 1841 ..	25,000	0	0	7,725	17	8
To defray the Expenses of a School of Design at Somerset House; to the 31st March, 1841	1,300	0	0	650	0	0
To pay to the 31st March, 1841, the Allowances and Expenses of the Barristers employed in revising Lists of Voters, under the Act to amend the Representation of the People in England and Wales ...	31,000	0	0	28,400	18	3
To defray, to the 31st March, 1841, the Expenses incurred by Sheriffs, formerly paid from Civil Contingencies; also, to make good the Deficiency of the Fees in the Office of the Queen's Remembrancer, in the Exchequer, and to pay the Salaries and ancient Allowances of certain Officers of the Court of Exchequer	11,300	0	0	5,942	16	11
To defray, in the year 1840, certain Charges heretofore paid out of County Rates ...	98,000	0	0	79,427	6	8
For the Payment of the Subsistence of the Polish Refugees; to the 31st March 1841 ..	13,000	0	0	7,303	6	3
To enable the Trustees of the British Museum to purchase Mr. Hawkins' Collection of Saurian Remains	1,800	0	0	1,800	0	0
To enable her Majesty to make a Grant to Messieurs Fourdrinier, in consideration of the great benefits conferred on the Public by the introduction of their Machinery for the Improvement of the Manufacture of Paper	7,000	0	0	7,000	0	0
Towards defraying the Balance remaining due to the late H. T. Sampayo Conde de Povoa, on the final Settlement of his Accounts for Supplies of Money and Provisions to the British Forces in the Peninsula, during the War from 1808 to 1814	37,667	0	0	37,667	0	0
Towards defraying the Expense of Steam Communication to India, by way of the Red Sea; to the 31st March, 1841	50,000	0	0	25,000	0	0
To defray the Charge of Salaries and Allowances and Contingencies of the Stipendiary Justices in the West Indies, Mauritius, and Cape of Good Hope, to the 31st March 1841	58,700	0	0	—		

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray in the year 1840, such Expenses as Her Majesty may incur in aiding the Local Legislatures in providing for the Religious and Moral Instruction of the emancipated Negro Population	30,000	0	0	20,575	3	8
To defray a Portion of the Charge of the Colonial Land and Emigration Board, and the Salaries of the Agents for Emigration; to the 31st March, 1841	3,540	0	0	2,270	1	5
To defray, the Charge of the Repair and Maintenance of the Rideau Canal, in Canada, in the year 1840	4,000	0	0	—		
To defray the Expenses of the Expedition to the River Niger; to the 31st March, 1841	61,263	0	0	28,800	0	0
To defray, to the 31st March, 1841, Law Expenses, Grants to the Scottish Universities, and other Charges formerly paid out of the Hereditary Revenues, and not provided for out of Her Majesty's Civil List, nor out of the Consolidated Fund	76,300	0	0	28,077	13	0
For defraying the Charge of the British Museum, for the year ending Lady Day, 1841	29,953	0	0	22,464	15	0
For the Purchase of Property required for the purposes of the British Museum ...	28,800	0	0	—		
To complete laying out of the Area of Trafalgar Square.	5,000	0	0	5,000	0	0
To defray the Charge of erecring a new Post Office in the City of Aberdeen ...	2,000	0	0	—		
For the Purchase of Pictures for the National Gallery	2,530	10	0	2,530	10	0
To defray the Amount of Law Expenses incurred in carrying into Execution the Act for the Improvement of the River Shannon ...	11,300	0	0	4,364	17	6
To defray the Expense of Binding, Cleaning, Repairing, and Indexing the Public Records; also to pay the Salaries of the Persons employed upon Services connected with the Public Records; to the 31st March, 1841	10,000	0	0	1,790	5	2
For Public Education in Great Britain, in the 1840	30,000	0	0	—		
To defray the Expenses of the University of London; to the 31st March, 1841 ...	5,418	0	0	3,476	8	4
Towards defraying, in the year 1840, the Expense of erecting a Hall at Edinburgh for the use of the General Assembly of the Church of Scotland	5,000	0	0	—		
To enable the Lord Lieutenant of Ireland to issue Money for the Advancement of Education in Ireland; to the 31st March, 1841.	50,000	0	0	—		
To defray the Expense of the Foundling Hospital in Dublin; to the 31st March 1841	10,422	0	0	1,194	17	1
To defray the Expense of the House of Indus-						

SERVICES.—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
try in Dublin, the Lunatic Department, and the Four General Hospitals attached; to the 31st March 1841.	18,420	0	0	14,000	0	0
Towards defraying the Expense of the Female Orphan House, Circular Road, in Dublin; to the 31st March 1841	1,000	0	0	600	0	0
Towards defraying the Expense of the Westmoreland Lock Hospital in Dublin; to the 31st March, 1841	2,500	0	0	2,500	0	0
Towards defraying the Expense of the Lying-in Hospital in Dublin; to the 31st March, 1841	1,000	0	0	1,000	0	0
Towards defraying the Expense of Dr. Stevens' Hospital in Dublin; to the 31st March, 1841	1,500	0	0	1,500	0	0
Towards defraying the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; to the 31st March, 1841 ...	3,800	0	0	3,527	0	0
Towards defraying the Expense of the Hospital for Incurables; to 31st March 1841 ...	500	0	0	500	0	0
To defray the Charge of the Roman Catholic College; to the 31s March 1841 ...	8,928	0	0	6,696	0	0
Towards defraying the Expense of the Royal Irish Academy; to the 31st March 1841	300	0	0	300	0	0
Towards defraying the Expense of the Royal Hibernian Academy; to the 31st March 1841	300	0	0	300	0	0
Towards defraying the Expense of the Royal Dublin Society; to the 31st March 1841 ...	5,300	0	0	3,975	0	0
To defray the Salaries and Expenses of the Commissioners of Charitable Donations and Bequests in Ireland; to the 31st March 1841	700	0	0	300	0	0
To defray the Salaries and Expenses of the Royal Belfast Academical Institution; to the 31st March 1841	1,950	0	0	1,462	10	0
To defray the Expenses of Public Buildings, &c. in the Department of the Commissioners of Public Works in Ireland; to the 31st March 1841	15,640	0	0	12,420	0	0
To pay the Salaries and Expenses of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and of Her Majesty's Privy Council Office in Ireland, also the Expense of Printing for the Public Offices in Ireland, and of Postage in the Chief Secretary's Offices; to the 31st March 1841	25,100	0	0	15,751	2	7
To defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland; to the 31st March 1841	12,464	0	0	10,307	1	4
To defray the Charge of the Office of Paymaster of Civil Services in Ireland; to the 31st March 1841	4,659	0	0	3,379	14	4

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To defray the Charge for publishing Proclamations and Printing the Statutes in Ireland; to the 31st March, 1841	4,150	0	0	1,112	5	2
To defray the Expense of Non-conforming, Seceding and Protestant Dissenting Ministers in Ireland; to the 31st March 1841 ...	33,661	0	0	16,830	10	0
To defray the Charge of Criminal Prosecutions and other Law Charges in Ireland; to the 31st of March 1841	70,000	0	0	68,520	2	5
Towards defraying the Charge of the Public Offices and Metropolitan Police of Dublin; to the 31st of March 1841	34,959	0	0	23,214	0	0
To defray the Expense of the Board of Public Works in Ireland; to the 31st March 1841	2,972	0	0	2,372	0	0
To defray the Expense of the Townland Survey of Ireland; to the 31st March 1841 ...	7,000	0	0	7,000	0	0
To defray the Charge of the Salaries of the Commissioners for the Improvement of the River Shannon; to the 31st March 1841 ...	3,673	0	0	—		
	17,622,513	10	0	12,274,417	0	5
To pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the year 1841	20,951,550	0	0	10,140,000	0	0
	38,574,063	10	0	22,414,417	0	5

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January 1841.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. III. c. 45	3,000	0	0	—	—	
For Interest on Exchequer Bills, charged on the Aids or Supplies	285,000	0	0	373,246	9	5
	288,000	0	0	373,246	9	5
				288,000	0	0
TOTAL Services not voted				661,246	9	5
AMOUNT of Sums voted				38,574,063	10	0
TOTAL Grants and other Services				39,235,309	19	5

WAYS AND MEANS

for answering the foregoing Services:

	£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 3 Vict. c. 7	8,000,000	0	0
- - - - Ditto - - - - - - - - - 3 & 4 Vict. c. 112	6,482,500	0	0
Duty on Sugar, per Act 3 & 4 Vict. c. 23	3,000,000	0	0
	17,482,500	0	0
Exchequer Bills, voted in Ways and Means, per Act 3 Vic. c. 12 ... ... £11,000,000			
- - - - Ditto - - - 3 & 4 Vict. c. 106 10,751,550			
	21,751,550	0	0
	39,234,050	0	0
Total Grants and other Services not voted ...	39,235,309	19	5
Deficienoy of Ways and Means	1,259	19	5

PUBLIC

Of Great Britain and Ireland, and the

DEBT.

	1. CAPITALS.	2. CAPITALS transferred to th Commissioners.e	3.** CAPITALS UNREDEEMED.
GREAT BRITAIN.	£. s. d.	£. s. d.	£. s. d.
Debt due to the South Sea Company ..... at £.3 per cent	3,662,784 8 6½	- - -	3,662,784 8 6½
Old South Sea Annuities..... Do.	3,497,870 2 7	- - -	3,497,870 2 7
New South Sea Annuities ..... Do.	2,460,830 2 10	- - -	2,460,830 2 10
South Sea Annuities, 1751 ..... Do.	523,100 0 0	- - -	523,100 0 0
Debt due to the Bank of England Do.	11,015,100 0 0	- - -	11,015,100 0 0
Bank Annuities, created in 1726.. Do.	826,636 0 0	1,384 1 0	825,251 19 0
Consolidated Annuities..... Do.	363,133,221 7 4½	590,243 19 4	362,542,977 8 0½
Reduced Annuities..... Do.	126,806,655 6 6	945,624 18 8	125,861,030 7 10
Total at £.3 per cent..	511,926,197 7 9¾	1,537,252 19 0	510,388,944 8 9¾
Annuities .. .. at £.3½ per cent. 1818..	10,161,371 14 9	1,649 17 8	10,159,721 17 1
Reduced 3½ per cent Annuities	66,288,575 2 5	28,725 9 8	66,259,849 12 9
New 3½ per cent Annuities	145,232,563 13 11	6,698 0 9	145,225,865 13 2
New £.5 per cent Annuities	428,076 15 4	- - -	428,076 15 4
Total, Great Britain.....	734,036,784 13 2¾	1,574,326 7 1	732,462,458 7 1¾
IN IRELAND.			
Irish Consolidated £. 3 per cent Annuities.	3,272,607 7 1	- - -	3,272,607 7 1
Irish Reduced £. 3 per cent Annuities	115,197 10 10	- - -	115,197 10 10
£. 3½ per cent Debentures and Stock	14,567,562 7 2	- - -	14,567,562 7 2
Reduced £. 3½ per cent Annuities	926,633 7 3	- - -	926,633 7 3
New 3½ per cent Annuities	12,390,823 18 10	- - -	12,390,823 18 10
Debt due to the Bank of Ireland, at £. 4 per cent.....	1,615,384 12 4	- - -	1,615,384 12 4
New £.5 per cent Annuities	5,672 19 0	- - -	5,672 19 0
Debt due to the Bank of Ireland, at £.5 per cent.....	1,015,384 12 4	- - -	1,015,384 12 4
Total, Ireland.....	33,909,266 14 10	- - -	33,909,266 14 10
Total, United Kingdom.....	767,946,051 9 0¾	1,574,326 7 1	766,371,725 1 11¾

The Act 10 Geo. IV. c.27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly received by the Commissioners to be applied to the reduction of the said Debt including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.	Donations and Bequests.
	£. s. d.	£. s. d.
Applicable between 5th April and 5th July, 1840	—	622 17 10
5th July and 10th October, 1840	—	3,352 16 1
10th October, 1840, and 5th January, 1841	—	687 11 5
5th January and 5th April, 1841.....	—	3,352 16 1
£	Nil.	8,016 1 5

FUNDED DEBT.

CHARGE thereupon, at the 5th January, 1841.

CHARGE.

—		IN GREAT BRITAIN. £. s. d.	IN IRELAND. £. s. d.	TOTAL ANNUAL CHARGE £. s. d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	23,090,662 9 4 3/4	1,193,278 1 11 3/4	
	Long Annuities, expire 1860	1,294,140 16 2	332 2 10	
	Annuities per 4 Geo. 4, c. 22, do. 1867	585,740 0 0	—	
	Annuities per 10 Geo. 4, c. 24, and 3 Will. 4 c. 14, expire at various periods	1,314,927 19 3	—	
	Payable at the National Debt Office. Life Annuities per 48 Geo. 3, c. 142, 10 Geo 4, c. 24, and 3 Will. 4, c. 14	857,856 15 6	—	
	Payable at the National Debt Office. Tontines and other Life Annuities per various Acts. English	19,969 14 4	—	
	Payable at the National Debt Office. Tontines and other Life Annuities per various Acts. Irish	34,230 8 7	6,823 7 3	
		27,197,528 3 2 3/4	1,200,433 12 0 3/4	
Management		158,363 3 9 1/4	—	
Total Annual Charge		27,355,891 7 0	1,200,433 13 0 3/4	28,556,324 19 0 3/4

ABSTRACT.

*(*** Shillings and Pence omitted.)*

—	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE. Due to the Public Creditor	ANNUAL CHARGE. Management.	ANNUAL CHARGE. TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain ..	734,036,784	1,574,326	732,462,458	27,197,528	158,363	
Ireland.....	33,909,266	- - -	33,909,266	1,200,433	—	
Total	767,946,051	*1,574,326	766,371,725	28,397,961	159,363	28,556,324

	£. s. d.
* On account of Donations and Bequests	270,161 13 7
Do. of Stock unclaimed 10 years or upwards	319,164 13 6
Do. of Unclaimed Dividends	985,000 0 0
	1,574,326 7 1

UNFUNDED DEBT.

AN Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1841.

	Provided.	Unprovided.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.
Exchequer Bills	- - -	21,626,350 - -	21,626,350 - -
Sums remaining unpaid charged upon Aids granted by Parliament	6,012,805 1 5	- - -	6,012,805 1 5
TOTAL Unfunded Debt and Demands outstanding	6,012,805 1 5	21,626,350 - -	27,639,155 1 5
Ways and Means	6,185,313 19 5		
Surplus	172,508 18 -		
Deduct the amount of Exchequer Bills paid off out of Ways and Means, Money Grants, but which it is not proposed to replace by the issue of Exchequer Bills...	125,200 - -		
SURPLUS of Ways and Means	47,308 18 -		
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund at 5th January 1841	- - -	6,210,363 9 11	6,210,363 9 11

TRADE OF THE UNITED KINGDOM.

An Account of the Value of the Imports into, and of the Exports from, the United Kingdom of Great Britain and Ireland, during each of the Three Years ending the 5th of January 1841; calculated at the Official Rates of Valuation, and distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported from the Value of Foreign and Colonial Merchandize Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom.	VALUE OF EXPORTS from the UNITED KINGDOM.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1839	61,268,320	92,459,231	12,711,318	105,170,549	50,060,970
1840	62,004,000	97,402,726	12,795,990	110,198,716	53,233,580
1841	67,432,964	102,705,372	13,774,306	116,479,678	51,406,430

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

An Account of the Value of the Imports into, and of the Exports from, Great Britain, during each of the Three Years ending the 5th of January 1841: calculated at the Official Rates of Valuation, and stated exclusive of the Trade with Ireland:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom exported from Great Britain, according to the Real or Declared Value thereof.

2 A 2

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain.	VALUE OF EXPORTS from GREAT BRITAIN.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1839	59,878,905	92,107,898	12,702,660	104,810,558	49,640,896
1840	60,346,066	96,947,122	12,779,057	109,726,179	52,701,509
1841	65,873,411	102,263,512	13,765,618	116,029,130	50,896,556

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1839, 1840, and 1841, respectively.

—	Year ending 5th Jan. 1839.		Year ending 5th Jan. 1840.		Year ending 5th Jan. 1841.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	1,089	157,255	1,217	181,301	1,372	181,301
Isles Guernsey, Jersey, and Man	56	4,204	61	5,602	78	5,602
British Plantations	606	241,406	703	109,025	595	47,898
TOTAL	1,753	241,406	1,981	295,928	2,043	333,154

Note.—The Account rendered for the Plantations for the year ending 5th January 1839, is now corrected; and as several Returns for that part of the empire are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1838, 1839, and 1840, respectively.

—	On 31st Dec. 1838.			On 31st Dec. 1839.			On 31st Dec. 1840.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	20,300	2,383,484	143,007	21,037	2,531,005	151,790	21,983	2,724,107	160,509
Isles of Guernsey, Jersey, & Man.	612	37,275	4,350	633	39,630	4,473	671	44,155	4,018
British Plantations	5,697	469,842	31,226	6,075	497,798	35,026	6,308	543,276	35,813
TOTAL	26,609	2,890,601	178,583	27,745	3,068,433	151,283	28,962	3,311,538	201,340

NAVIGATION OF THE UNITED KINGDOM—*continued.*

Vessels employed in the Foreign Trade.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages,) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1841.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.

YEARS ending 5th January.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1839	16,119	2,785,387	154,499	8,679	1,211,666	68,891	24,798	3,997,053	223,390
1840	17,635	3,101,650	170,339	10,326	1,331,365	79,550	27,961	4,433,015	249,889
1841	17,883	3,197,501	172,404	10,198	1,460,294	81,295	28,081	4,657,795	253,699

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, To Foreign Parts.

	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1839	15,9	2,876,236	162,763	8,520	1,222,803	79,518	24,427	4,099,039	231,149
1840	17,066	3,096,611	173,806	10,698	1,398,096		27,764	4,494,707	253,624
1841	17,633	3,292,984	181,580	10,440	1,488,888		28,073	4,781,872	263,252

NAVIGATION OF GREAT BRITAIN.

New Vessels Built.

	Year ending 5th Jan. 1839.		Year ending 5th Jan. 1840.		Year ending 5th Jan. 1841.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	857	127,096	951	144,500	1,065	165,852
Scotland	192	27,542	217	32,717	263	42,322
Isle of Guernsey	13	1,320	11	1,480	20	2,424
— Jersey	11	1,560	18	2,286	27	3,546
— Man	34	1,324	32	1,836	31	2,305
British Plantations	606	79,947	703	109,025	595	113,090
Total	1,713	238.789	1,932	291,844	2,001	330,039

Vessels Registered.

	On the 31st December 1838.			On the 31st December 1839.			On the 31st December 1840.		
	Vessels.	Tonnage.	Men.	Vessels.	Tonnage	Men.	Vessels.	Tonnage.	Men.
England	15,245	1,880,733	107,791	15,830	1,983,522	114,593	16,535	2,111,049	120,154
Scotland	3,279	351,223	½24,933	3,318	378,194	25,909	3,479	429,204	28,428
Isle of Guernsey	98	10,025	725	105	11,775	832	118	13,298	940
— Jersey	241	20,338	2,222	246	20,763	2,198	269	23,529	2,413
— Man	273	6,912	1,403	282	70,92	1,443	284	7,328	1,665
British Plantations	5,697	469,842	31,226	6,075	497,798	35,020	6,308	543,276	35,813
Total	24,833	2,739,073	168,300	25,856	2,899,144	179,995	26,993	3,127,684	189,413

LIST OF THE GENERAL ACTS

Passed in the THIRD *Session of the* THIRTEENTH *Parliament of the United Kingdom of Great Britain and Ireland.—3° & 4° Vict.*

III. & IV. VICT.

I. AN Act for exhibiting a bill in this present Parliament for naturalizing His Serene Highness Prince *Albert* of *Saxe Coburg* and *Gotha*.

II. An Act for the Naturalization of His Serene Highness Prince *Albert* of *Saxe Coburg* and *Gotha*.

III. An Act for enabling Her Majesty to grant an Annuity to His Serene Highness Prince *Albert* of *Saxe Coburg* and *Gotha*.

IV. An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and forty.

V. An Act to repeal so much of an Act passed in the Thirteenth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to restrain and prevent the excessive Increase of Horse Races; and for amending an Act made in the last Session of Parliament, intituled 'An Act for the more effectual preventing of excessive and deceitful Gaming,'* as relates to the Subject of Horse Racing.

VI. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

VII. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty.

VIII. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

IX. An Act to give summary Protection to Persons employed in the Publication of Parliamentary Papers.

X. An Act to authorize the Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor.

XI. An Act to settle an Annuity on Lord *Seaton* and the Two next surviving Heirs Male of the Body of the said Lord *Seaton* to whom the Title of Lord *Seaton* shall descend, in consideration of his important Services.

XII. An Act for raising the Sum of Eleven Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty.

XIII. An Act to amend an Act of the First and Second Year of the Reign of Her present Majesty, to abolish Compositions for Tithes in *Ireland*, and to substitute Rent-charges in lieu thereof.

XIV. An Act to continue for One Year, and to the end of the next Session of Parliament, the Acts for the Relief of Insolvent Debtors in *Ireland*.

XV. An Act further to explain and amend the Acts for the Commutation of Tithes in *England* and *Wales*.

XVI. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth day of *March* One thousand eight hundred and forty-one; and for the Relief of Clerks to Attornies and Solicitors in certain Cases.

XVII. An Act for granting to Her Majesty Duties of Customs, Excise, and Assessed Taxes.

XVIII. An Act to discontinue the Excise Survey on Tobacco, and to provide other Regulations in lieu thereof.

XIX. An Act for granting to Her Majesty an additional Duty of Customs on Timber.

XX. An Act to amend an Act passed in the First Year of the Reign of His late Majesty King *George* the First,

intituled *An Act for rendering more effectual Her late Majesty's gracious Intentions for the Augmentation of the Maintenance of the Poor Clergy;* and to render valid certain Agreements which have been made in pursuance of the said Act; and for other Purposes.

XXI. An Act to extend to the *British* Colonies in the *West Indies* an Act passed in the Fifth and Sixth Year of His late Majesty King *William* the Fourth, for regulating the Carriage of Passengers in Merchant Vessels.

XXII. An Act to impose upon Broad or Spread Glass the same Duties of Excise that are payable upon German Sheet Glass.

XXIII. An Act for granting to her Majesty, until the Fifth Day of *July*, One thousand eight hundred and forty-one, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and forty.

XXIV. An Act to repeal Part of an Act of the Forty-third Year of the Reign of Queen *Elizabeth*, intituled *An Act to avoid trifling and frivolous Suits in Law in Her Majesty's Courts in* Westminster, and of an Act of the Twenty-second and Twenty-third Year of the Reign of King *Charles* the Second, intituled *An Act for laying Impositions on Proceedings at Law;* and to make further provisions in lieu thereof.

XXV. An Act to amend the Act for the better ordering of Prisons.

XXVI. An Act to remove Doubts as to the Competency of Persons, being rated Inhabitants of any Parish, to give Evidence in certain Cases.

XXVII. An Act to continue to the First Day of *August* One thousand eight hundred and forty-three, and thence to the End of the then next Session of Parliament, Two Acts relating to the Removal of poor Persons born in *Scotland* and *Ireland*, and chargeable to Parishes in *England*.

XXVIII. An Act to explain and amend an Act of the Second and Third Years of Her present Majesty, for more equally assessing and levying Watch Rates in certain Boroughs.

XXIX. An Act to extend the Practice of Vaccination.

XXX. An Act for the more equal Assessment of Police Rates in *Manchester*, *Birmingham*, and *Bolton*, and to make better Provision for the Police in *Birmingham* for One Year, and to the End of the then next Session of Parliament.

XXXI. An Act to extend the Powers and Provisions of the several Acts relating to the Inclosure of Open and Arable Fields in *England* and *Wales*.

XXXII. An Act to continue for One Year, and from thence until the End of the then next Session of Parliament, the several Acts relating to the Importation and keeping of Arms and Gunpowder in *Ireland*.

XXXIII. An Act to make certain Provisions and Regulations in respect to the Exercise, within *England* and *Ireland*, of their Office, by the Bishops and Clergy of the Protestant Episcopal Church in *Scotland*; and also to extend such Provisions and Regulations to the Bishops and Clergy of the Protestant Episcopal Church in the United States of *America;* and also to make further Regulations in respect to Bishops and Clergy other than those of the United Church of *England* and *Ireland*.

XXXIV. An Act for making Provision as to the Office of Master in Chancery in certain Cases.

XXXV. An Act to re-unite the Provinces of *Upper* and *Lower Canada*, and for the Government of *Canada*.

XXXVI. An Act for preventing Ships clearing out from a *British North American* Port loading any Part of their Cargo of Timber upon Deck.

XXXVII. An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and for providing for the Observance of Discipline in the *Indian* Navy, and to amend the Laws for regulating the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in Service.

XXXVIII. An Act to continue Compositions for Assessed Taxes until the Fifth Day of *April* One thousand eight hundred and forty-two.

XXXIX. An Act to authorise trustees or Commissioners of Turnpike Roads to appoint Meetings for executing their Trusts in certain Cases.

XL. An Act to amend Two Acts of His late Majesty King *William* the Fourth, for the Relief of certain of Her Ma-

jesty's Colonies and Plantations in the *West Indies*.

XLI. An Act to authorise the Commissioners of Her Majesty's Treasury to grant a Lease of the *Caledonian* Canal for a Term of Years, and to regulate the future Management thereof.

XLII. An Act to continue the Poor Law Commission until the Thirty-first Day of *December* One thousand eight hundred and forty-one.

XLIII. An Act for repairing *Blenheim Palace*.

XLIV. An Act to amend an Act of the Seventh Year of King *George* the Fourth, for consolidating and amending the Laws relating to Prisons in *Ireland*.

XLV. An Act to continue until the First Day of *June* One thousand eight hundred and forty-two, or if Parliament shall then be sitting until the End of the then Session of Parliament, the Local Turnpike Acts for *Great Britain* which expire with this or the ensuing Session of Parliament.

XLVI. An Act to continue for One Year from the passing of this Act, and thenceforth until the End of the then next Session of Parliament, the several Acts for regulating the Turnpike Roads in *Ireland*.

XLVII. An Act to repeal so much of an Act of the Ninth Year of the Reign of Her late Majesty Queen *Anne* as prevents the Re-election of Mayors of Parliamentary Boroughs and other annual Returning Officers.

XLVIII. An Act to enable Proprietors of Entailed Estates in *Scotland* to feu or lease on long Leases Portions of the same for the building of Churches and Schools, and for Dwelling Houses and Gardens for the Ministers and Masters thereof.

XLIX. An Act to consolidate and amend the Laws for collecting the Duties of Excise on Soap made in *Great Britain*.

L. An Act to provide for keeping the Peace on Canals and Navigable Rivers.

LI. An Act to amend and explain the general Turnpike Acts, so far as relates to the Toll payable on Carriages or Horses laden with Lime for the Improvement of Land.

LII. An Act to provide for the Administration of the Government in case the Crown should descend to any Issue of her Majesty whilst such Issue shall be under the age of Eighteen Years, and for the Care and Guardianship of such Issue.

LIII. An Act for Vacating any Presentment for rebuilding the Gaol of *Newgate* in *Dublin*, and vacating any Contract between the Commissioners for rebuilding the said Gaol and the Contractor.

LIV. An Act for making further Provision for the Confinement and Maintenance of Insane Prisoners.

LV. An Act to enable the Owners of Settled Estates to defray the Expense of draining the same by way of Mortgage.

LVI. An Act further to regulate the Trade of Ships built and trading within the Limits of the *East India* Company's Charter.

LVII. An Act to impose Duties of Excise on Sugar manufactured in the United Kingdom.

LVIII. An Act to amend the Acts relating to the River *Poddle* in the County and City of *Dublin*.

LIX. An Act for the Amendment of the Law of Evidence in *Scotland*.

LX. An Act to further amend the Church Building Acts.

LXI. An Act to amend the Acts relating to the general Sale of Beer and Cider by Retail in *England*.

LXII. An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and forty-one, and to the End of the then next Session of Parliament, and to extend, the Provisions of an Act to provide for the Administration of Justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual Government thereof, and for other Purposes relating thereto.

LXIII. An Act to extend the Powers of the Commissioners appointed for the execution of Two Acts for supporting the several Harbours and Sea Ports in the *Isle of Man*.

LXIV. An Act to continue, until Eight Months after the Commencement of the next Session of Parliament, an Act for authorizing Her Majesty to carry into immediate Execution, by Orders in Council, any Treaties for the Suppression of the Slave Trade.

LXV. An Act to improve the Practice and extend the Jurisdiction of the High Court of Admiralty of *England*.

LXVI. An Act to make Provision for the Judge, Registrar, and Mar-

shal of the High Court of Admiralty of *England*.

LXVII. An Act for carrying into effect the Treaty between Her Majesty and the Republic of *Venezuela*, for the Suppression of the Slave Trade.

LXVIII. An Act to enable Her Majesty in Council to authorise Ships and Vessels belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted, in certain Cases, without having a licensed Pilot on board; and also to regulate the Mode in which Pilot Boats shall be painted and distinguished.

LXIX. An Act to continue, for Six Months after the Commencement of the next Session of Parliament, an Act of the last Session of Parliament, for carrying into effect a Convention between Her Majesty and the King of the *French*, relative to the Fisheries on the Coasts of the *British* Islands and of *France*.

LXX. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Sergeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and forty-one.

LXXI. An Act to suspend until the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

LXXII. An Act to provide for the Solemnization of Marriages in the Districts in or near which the Parties reside.

LXXIII. An Act to explain and amend the Acts relating to Friendly Societies.

LXXIV. An Act for the better Protection of the Oyster Fisheries in *Scotland*.

LXXV. An Act to regulate the Repayment of certain Sums advanced by the Governor and Company of the Bank of *Ireland* for the Public Service.

LXXVI. An Act to empower the Lord Lieutenant of *Ireland* to annex certain Townlands to the County of *Roscommon*.

LXXVII. An Act for improving the Condition and extending the Benefits of Grammar Schools.

LXXVIII. An Act to provide for the Sale of the Clergy Reserves in the Province of *Canada*, and for the Distribution of the Proceeds thereof.

LXXIX. An Act to amend the Law relating to the Admission of Attornies and Solicitors to practise in the Courts of Law and Equity in *Ireland*.

LXXX. An Act to continue until the First Day of *March* One thousand eight hundred and forty-five, and from thence to the End of the then next Session of Parliament, the several Acts relating to Insolvent Debtors in *India*.

LXXXI. An Act to define the Notice of Elections of Members to serve in Parliament for Cities, Towns, and Boroughs in *England*.

LXXXII. An Act for further amending the Act for abolishing Arrest on Mesne Process in Civil Actions.

LXXXIII. An Act to continue, until the First Day of *January*, One thousand eight hundred and forty-three, an Act of the last Session of Parliament, for amending and extending the Provisions of an Act of the First Year of Her present Majesty, for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury.

LXXXIV. An Act for better defining the Powers of Justices within the Metropolitan Police District.

LXXXV. An Act for the Regulation of Chimney Sweepers and Chimneys.

LXXXVI. An Act for better enforcing Church Discipline.

LXXXVII. An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, to make additional Thoroughfares in the Metropolis.

LXXXVIII. An Act to amend the Act for the Establishment of County and District Constables.

LXXXIX. An Act to exempt, until the Thirty-first Day of *December*, One thousand eight hundred and forty-one, Inhabitants of Parishes, Townships, and Villages, from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor.

XC. An Act for the Care and Educa-

tion of Infants who may be convicted of Felony.

XCI. An Act for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in *Ireland*, and for the better Payment of their Wages, for One Year, and from thence to the End of the then next Session of Parliament.

XCII. An Act for enabling Courts of Justice to admit Non-parochial Registers as Evidence of Births or Baptisms, Deaths or Burials, and Marriages.

XCIII. An Act to amend the Act for the better Regulation of Ecclesiastical Courts in *England*.

XCIV. An Act for facilitating the Administration of Justice in the Court of Chancery.

XCV. An Act to enable Her Majesty to carry into effect certain Stipulations contained in a Treaty of Commerce and Navigation between Her Majesty and the Emperor of *Austria;* and to empower Her Majesty to declare, by Order in Council, that Ports which are the most natural and convenient Shipping Ports of States within whose Dominions they are not situated may in certain Cases be considered, for all Purposes of Trade with Her Majesty's Dominions, as the National Ports of such States.

XCVI. An Act for the Regulation of the Duties of Postage.

XCVII. An Act for regulating Railways.

XCVIII. An Act to authorize, for a limited Time, the Application of a Portion of the Highway Rates to Turnpike Roads in certain Townships and Districts.

XCIX. An Act for taking an Account of the Population of *Great Britain*.

C. An Act for taking an Account of the Population of *Ireland*.

CI. An Act to amend several Acts relating to the Temporalities of the Church in *Ireland*.

CII. An Act to amend the Law relating to Court Houses in *Ireland*.

CIII. An Act to amend an Act of the last Session for making further Provisions relating to the Police in the District of *Dublin* Metropolis.

CIV. An Act to transfer to the Commissioners of Her Majesty's Woods and Works, and other Commissioners, the several Powers now vested in the Commissioners for repairing the Line of Road from *Shrewsbury* in the County of *Salop* to *Bangor Ferry* in the County of *Carnarvon;* and to amend the *London* and *Holyhead* Road Acts, so far as relates to the *Dunstable* Road.

CV. An Act for Abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases; for extending the Remedies of Creditors against the Property of Debtors; and for the further Amendment of the Law and the better Advancement of Justice in *Ireland*.

CVI. An Act for raising the Sum of Ten millions seven hundred fifty-one thousand five hundred and fifty Pounds by Exchequer Bills, for the Service of the Year one thousand eight hundred and forty.

CVII. An Act to continue and amend the Laws for the Relief of Insolvent Debtors in *Ireland*.

CVIII. An Act for the Regulation of Municipal Corporations in *Ireland*.

CIX. An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in *Ireland*.

CX. An Act to amend the Laws relating to Loan Societies.

CXI. An Act to continue until the Thirty-first Day of *August*, One thousand eight hundred and forty-two, and to extend the Provisions of an Act of the First and Second Years of Her present Majesty, relating to Legal Proceedings by certain Joint Stock Banking Companies against their own Members, and by such Members against the Companies.

CXII. An Act to apply a Sum out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty, and to appropriate the Supplies granted in this Session of Parliament.

CXIII. An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues.

LOCAL AND PERSONAL ACTS,

Declared Public, and to be judicially noticed.

i. AN Act to enable the *Chard* Canal Company to raise further Monies, and to amend the Act relating to the same Canal.

ii. An Act to amend the Act relating to "The *Chester* and *Birkenhead* Railway," and to raise a further Sum of Money for the Purposes of the said Undertaking.

iii. An Act to enable the *Sheffield* and *Rotheram* Railway Company to raise a further Sum of Money; and to amend the Act relating to the said Railway.

iv. An Act to enable the *Lancaster* and *Preston* Junction Railway Company to raise a further Sum of Money; and to amend the Act relating to such Railway.

v. An Act to enable "The North Union Railway Company" to raise a further Sum of Money.

vi. An Act to enable "The *Liverpool East India* Warehouse Company" to sue and be sued in the Name of the Chairman, Deputy Chairman, or any One of the Directors of the said Company; and for other Purposes relating thereto.

vii. An Act to amend an Act passed in the First Year of the Reign of his late Majesty King *George* the Fourth, intituled *An Act for providing additional Burying Ground for the Parish of* Saint Mary Rotherhithe *in the County of* Surrey; and for enabling the Rector of the said Parish to grant Building Leases of the Glebe Lands belonging to the said Rectory; and for other purposes.

viii. An Act for establishing a General Cemetery for the Interment of the Dead in the City and Borough of *Winchester* in the County of *Southampton*.

ix. An Act to amend and enlarge the Powers and Provisions of an Act passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, for building a Chapel in the Town of *Wolverhampton* in the County of *Stafford*.

x. An Act for the more easy and speedy Recovery of Small Debts within the Towns and Boroughs of *Brighton* and *New Shoreham*, and other places or Parishes adjacent or near thereto, in the County of *Sussex*.

xi. An Act for making a Turnpike Road from *West Kennett* to *Amesbury* in the County of *Wilts*, with Branches therefrom.

xii. An Act for the better lighting with Gas the City of *Edinburgh* and Town of *Leith*, and Places adjacent, and for other Purposes relating thereto.

xiii. An Act for enabling the *Edinburgh* Gas Light Company more effectually to light with Gas the Town of *Leith*, the Vicinity thereof, and other Places in the County of *Edinburgh*; and for altering and enlarging the Powers of the said Company.

xiv. An Act to enable the *Arbroath* and *Forfar* Railway Company to raise a further Sum of Money, and otherwise to amend and enlarge the Powers and Provisions of the Act relating to the *Arbroath* and *Forfar* Railway.

xv. An Act to enable the *Manchester* and *Salford* Junction Canal Company to raise a further Sum of Money; and to alter, amend, and enlarge some of the Powers and Provisions of the Act relating to the said Canal.

xvi. An Act to continue and amend an Act for Erecting a Bridge over the River *Almond*, which divides the Counties of *Edinburgh* and *Linlithgow*.

xvii. An Act for abolishing certain Petty and Market Customs in the City of *Edinburgh*, and granting other Duties in lieu thereof.

xviii. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Bolton* and other Places in the County of *Lancaster*.

xix. An Act to enable "The *Thames* Plate Glass Company" to sue and be sued in the Name of the Chairman or Deputy Chairman, or Secretary, or any One of the Directors for the Time being of the said Company; and for other Purposes.

xx. An Act to enable the Protestant Dissenters and General Life and Fire Insurance Company to sue and be sued in the Name of the Chairman, Deputy Chairman, or any One of the Directors or of the Secretary of the said Company.

xxi. An Act for making and repairing several Roads in and leading to and

from the Town of *Warminster* in the County of *Wilts*.

xxii. An Act for making and maintaining a new Road from the Road at *Worle* to a Road in the Parish of *Kewstoke* leading to *Locking* and *Weston-super-Mare* in the County of *Somerset*.

xxiii. An Act to amend and explain some of the Provisions of the Acts relating to the General Steam Navigation Company.

xxiv. An Act for consolidating the *Wyrley* and *Essington* Canal Navigation with the *Birmingham* Canal Navigations, and for granting further Powers to the Company of Proprietors of the *Birmingham* Canal Navigations.

xxv. An Act for the more easy and speedy Recovery of Small Debts within the Township of *Newton Abbot*, and other Townships, Parishes, and Places, all in the County of *Devon*.

xxvi. An Act for making and maintaining a new Bridge over the River *Aire* at *Leeds*, at or near a Place called *Crown Point*, with suitable Approaches thereto; and for making certain Drains or Water-courses under ths Roads leading to such Bridge, and through the adjoining Lands, to communicate with the River *Aire* below the *Leeds* Locks.

xxvii. An Act for the further Improvement of the Town of *Greenock*; for better lighting and supplying the same with Water; for regulating the Police thereof; and for other Purposes connected therewith.

xxviii. An Act to continue the Term and amend and alter the Powers of an Act for regulating the Police of the Burgh of *Calton* and Village and Lands of *Mile End* in the County of *Lanark*.

xxix. An Act to continue, enlarge, and explain several Acts for erecting a Bridewell for the County of *Lanark* and City of *Glasgow*.

xxx. An Act to authorise the Transfer to more than Twelve Persons of certain Patents granted to the Marquess of *Tweeddale* relating to the Manufacture of Drain-tiles, Bricks, and other Articles, and for the Establishment of a Company for carrying out the Objects of the said Patents.

xxxi. An Act for more effectually repairing the Road from *Basingstoke* in the County of *Southampton* to *Lobcombe Corner* in the County of *Wilts*, and other Roads described; and for making a new Road from the said Road at the Eastern Entrance of the Town of *Andover* to the *Warren Farm* Station on the *London* and South-western Railway in the said County of *Southampton*.

xxxii. An Act for repairing and improving the Road from *Macclesfield* to *Congleton* in the County of *Chester*.

xxxiii. An Act for extending the Jurisdiction of the *Barkston Ash* and *Shyrack* Court of Requests, and the Powers and Provisions of the Act passed constituting snch Court, to certain Places in the East and West Ridings of the County of *York*, and amending the same Act.

xxxiv. An Act for repairing and improving the Roads from *Lobcombe Corner* in the Parish of *Winterslow* to the City of *New Sarum* in the County of Wilts, and from the said City to *Landford* and other Roads in the Couuty of *Southampton*.

xxxv. An Act for more effectually repairing and improving certain Roads near *Torquay*, *Paington*, *Brixham*, *Kingswear*, *Newton Abbot*, and *Shaldon*, and for making certain new Roads connected therewith, all in the County of *Devon*.

xxxvi. An Act for more effectually repairing several roads leading from the Town of *Taunton* in the County of *Somerset*, and for making several Deviations and new Lines of Road connected therewith.

xxxvii. An Act for more effectually repairing the Road from the *Honiton* Turnpike Road near *Yard Farm* in the Parish of *Upottery* in the County of *Devon*, towards *Ilminster*, to the Eastern Boundary of the Parish of *Buckland Saint Mary* in the County of *Somerset*; and for making, maintaining, and repairing several other Roads communicating therewith in the Counties of *Devon*, *Somerset*, and *Dorset*.

xxxvii. An Act for repairing and maintaining a Road from *Banbury* in the County of *Oxford* to *Lutterworth* in the County of *Leicestsr*, and other Roads communicating therewith.

xxxix. An Act for maintaining and repairing the Road from *Causeway Head* near *Stirling*, through the County of *Clackmannan*, by the Foot of the *Ochil Hills*, towards *Queens-*

ferry, and certain Roads branching out of the same.

xl. An Act to alter and amend several Acts, for making, maintaining, and keeping in repair certain Roads in the Counties of *Clackmannan* and *Perth*; and for other Purposes relating thereto.

xli. An Act to enable the *Scottish* Widows' Fund and Life Assurance Society to sue and be sued; and for other Purposes relating to the said Society.

xlii. An Act for better lighting and supplying with Gas the Town and Neighbourhood of *Dewsbury* in the West Riding of the County of *York*.

xliii. An Act for amending the Powers and Provisions of several Acts relating to the holding of Markets in the Town of *Taunton* in the County of *Somerset*, and to the Improvement of the said Town.

xliv. An Act for regulating and preserving the Harbour of *Workington* in the County of *Cumberland*, and for other Purposes relating thereto.

xlv. An Act for paving, cleansing, watching, and otherwise improving the Town of *Workington* in the County of *Cumberland*.

xlvi. An Act to alter and divert a Portion of the Line of the South-eastern Railway in the County of *Kent*.

xlvii. An Act to amend and enlarge the Powers and Provisions of the Acts relating to the *Bristol* and *Exeter* Railway,

xlviii. An Act to amend the Act relating to the *Newcastle-upon-Tyne* and *North Shields* Railway, and to raise a further Sum of Money for the Purposes of the said Undertaking.

lxix. An Act for incorporating the *Chester* and *Crewe* Railway with the Grand Junction Railway, and for extending to the said first-mentioned Railway the Provisions of the several Acts of Parliament relating to the said last-mentioned Railway; and for other Purposes.

l. An Act to revive the Powers given to the *Thames* Tunnel Company for the Purchase of certain Houses, Lands, and Premises in the Parish of *Saint John of Wapping*.

li. An Act to make a further Alteration in the Line of the *Birmingham* and *Derby* Junction Railway, and an Approach thereto at *Tamworth*, and to amend the Acts relating to the said Railway.

lii. An Act to enable the Northern and Eastern Railway Company to abandon a Portion of the Line originally authorised to be made; and to alter and amend several of the Powers and Provisions of the Acts relating to the said Railway.

liii. An Act to amend and continue the Act relating to the *Glasgow*, *Paisley*, *Kilmarnock*, and *Ayr* Railway, and to make a new Branch therefrom.

liv. An Act for amending and enlarging the Powers of an Act for establishing a Floating Bridge or Bridges over the Harbour of *Portsmouth* in the County of *Southampton*.

lv. An Act for improving the *Dartford* and *Crayford* Creeks in the County of *Kent*, and for making a Diversion in the Line of the said *Dartford* Creek, and other Works connected therewith.

lvi. An Act to authorise the Company of Proprietors of the *Birmingham* Canal Navigations to extend and alter the Line of their intended Cut or Canal from *Dank's* Branch to *Salford Bridge*; and to grant further Powers to the said Company.

lvii. An Act for making and maintaining a navigable Cut or Canal connecting the *Warwick* and *Birmingham* Canal with the *Birmingham* Canal, commencing by a Junction with the *Warwick* and *Birmingham* Canal, in the Hamlet of *Bordesley* in the parish of *Aston-juxta-Birmingham* in the County of *Warwick*, and terminating by a Junction with the *Birmingham* Canal, near *Salford* Bridge, in the same Parish.

lviii. An Act to amend the Acts for supplying with Water the City and County of the City of *Exeter* and places adjacent thereto.

lix. An Act for granting certain Powers to the *Faversham* Oyster Fishery Company.

lx. An Act to amend, alter, and enlarge the Powers and Provisions of an Act of His late Majesty, for paving, cleansing, lighting, watching, and improving, the Town and Parishes of *Gravesend* and *Milton* in the County of *Kent*, and for removing and preventing Nuisances and Annoyances therein; and to make further Improvements in the said Town and Parishes.

lxi. An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to widen, alter, and improve certain Streets or Thoroughfares called *Spurriergate* and *Coney Street*, in the said City.

lxii. An Act for establishing and maintaining a proper and effective Watch on the River *Wear* in the Port or Haven of *Sunderland near the Sea* in the County of *Durham*.

lxiii. An Act for regulating and maintaining the Markets and Market Place in the Township of *Tunstall* in the Parish of *Wolstanton* in the County of *Stafford*.

lxiv. An Act for making a Turnpike Road from *Greenhill Moor* to *Eckington* in the County of *Derby*.

lxv. An Act for making and maintaining several Roads leading from the Town of *Maiden Newton* in the County of *Dorset*, and other Roads communicating therewith, in the Counties of *Somerset* and *Dorset*.

lxvi. An Act for further and more effectually repairing and maintaining several Turnpike Roads in the County of *Roxburgh*.

lxvii. An Act for further and more effectually repairing and maintaining certain Turnpike Roads in the County of *Elgin*.

lxviii. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Tavistock* and other Places in the Counties of *Devon* and *Cornwall*.

lxix. An Act for the more easy Recovery of Small Debts within the Parishes of *Kingsnorton* and *Northfield* in the County of *Worcester*.

lxx. An Act to enable the *Duffryn Llynvi* and *Porth Cawl* Railway Company to raise a further Sum of Money, and to amend the Acts relating to the said Railway and to the Bay of *Porth Cawl* in the County of *Glamorgan*.

lxxi. An Act to enable the *Port Talbot* Company to raise further Monies, and to amend the Acts relating to the same Port.

lxxii. An Act to amend an Act of the Fifty-seventh Year of King *George* the Third, intituled *An Act for fixing the Dues, Duties, and Payments for all Goods, Wares, and Merchandise landed on or shipped from the Pier or Quay of the Town of* Penzance *in the County of* Cornwall, *and on all Ships and Vessels resorting to the said Pier or Quay, or to the Harbour of* Penzance; and for making and maintaining an additional Pier and Dock within the said Harbour.

lxxiii. An Act for improving, enlarging, and maintaining the Harbour of *Fisherrow* in the County of *Edinburgh*.

lxxiv. An Act for equalizing, defining, and regulating the Petty Customs, and for facilitating the Collection thereof and of the Quay Dues payable to the Mayor, Aldermen, and Burgesses of the City and Borough of *Exeter*, and for preserving the Navigation of the River *Exe*.

lxxv. An Act for regulating the Market, and for erecting a Market House in the Town of *Launceston* in the County of *Cornwall*.

lxxvi. An Act for better lighting and cleansing the Town of *Kingston-upon-Hull*, and certain parts of the Liberty of *Trippett* within and part of the Municipal Borough of *Kingston-upon-Hull*.

lxxvii. An Act for regulating the Buildings and Party Walls within the City and County of *Bristol*, and for widening and improving several streets within the same.

lxxviii. An Act for better supplying with Water the Town and County of the Town of *Newcastle-upon-Tyne* and Borough of *Gateshead*, and the Places adjacent thereto, in the Counties of *Northumberland* and *Durham*.

lxxix. An Act for better supplying with Water the Town and Borough of *Belfast*.

lxxx. An Act for repairing and maintaining the Road from *Tadcaster* to *Halton Dial*, and for making and maintaining a new Road from *Seacroft* to and into the Highway leading from *Scholes* to *Barwick-in-Elmet*, all in the West Riding of the County of *York*.

lxxxi. An act to amend the Provisions of the Acts relating to the Turnpike Roads leading to and from the City of *Exeter*, and for making a new Branch Road to communicate therewith.

lxxxii. An Act for more effectually making, repairing, and maintaining, certain Turnpike Roads in the Counties of *Nairn* and *Inverness*.

lxxxiii. An Act for making certain Roads and Branches connected with the new Bridge now erecting over

the River *Dove* near the Village of *Rocester* Turnpike, with proper Deviations, Works, and Conveniences, and new Pieces of Road connected therewith, and Approaches thereto, in the Counties of *Derby* and *Stafford*.

lxxxiv. An Act for repairing the Road from the *Maidstone* Turnpike Gate on the *Loose* Road in the Parish of *Maidstone* in the County of *Kent* to *Newcastle* in the Parish of *Biddenden*, and a Branch Road to the *Thorn* in the Parish of *Smarden* in the same County.

lxxxv. An Act for establishing a general Cemetery in the Parish of *Holy Cross* and *Saint Giles* in or near the Town of *Shrewsbury* in the County of *Salop*.

lxxxvi. An Act for the Establishment and Government of the Institution called "The Royal Naval School."

lxxxvii. An Act to authorise the appointment of additional Coroners for the County Palatine of *Chester*.

lxxxviii. An Act to amend the several Acts relating to the *Belfast* charitable Society.

lxxxix. An Act to enable the Council of the Borough of *Liverpool* to raise Money upon Bonds.

xc. An Act for the more effectual Drainage of certain Lands called *Billinghay Fen*, *Billinghay Dales*, and *Walcot Fen*, *Walcot Dales*, and *North Kyme*, *East Fen*, and *Ings*, in the Parishes or Places of *Billinghay*, *Walcot*, *Dogdike*, *Hart's Grounds*, *Conningsby*, *Swineshead*, *North Kyme* and *South Kyme*, in the County of *Lincoln*.

xci. An Act to amend an Act for enlarging the present or providing a new Workhouse for the Use of the Parish of *Stroud* in the County of *Kent*; for better governing, maintaining, and employing the Poor of the said Parish; and also for repairing or rebuilding the Church and Tower of the same Parish, and for other Purposes relating thereto.

xcii. An Act for supplying the Town of *Ayr*, and Suburbs of *Newton* and *Wallacetown*, and Places adjacent, in the County of *Ayr*, with Water.

xciii. An Act for explaining, altering, and amending, the Mode of Assessment for the Maintenance of the Poor within the City of *Glasgow*.

xciv. An Act for enabling "The Marine Insurance Company" to sue and be sued in the Name of the Chairman or Deputy Chairman, for the Time being of the said Company.

xcv. An Act to enable "The Farmer's and General Fire and Life Insurance and Loan Annuity Company" to sue and be sued in the Name of the Manager, Chairman, or any One of the Directors, or the Secretary of the said Company.

xcvi. An Act for granting certain Powers to the *British* Iron Company.

xcvii. An Act for establishing and regulating a Company, to be called "The *Edinburgh* Silk Yarn Company;" and to enable the said Company to purchase certain Letters Patent.

xcviii. An Act for forming a Company to be called "*Kollman's* Railway Locomotive and Carriage Improvement Company," and for enabling the said Company to purchase certain Letters Patent.

xcix. An Act to incorporate the Trustees and others, Directors of the *Crichton* Royal Institution for Lunatics at *Dumfries*, and for the better enabling them to carry on their charitable Designs.

c. An Act for repairing, improving, and maintaining the Road from *Bedford* to *Woburn*, with a Branch therefrom, all in the County of *Bedford*.

ci. An Act to make, alter, improve, and maintain, certain Roads in the Counties of *Stirling*, *Dumbarton*, *Lanark*, and *Perth*.

cii. An Act for making and maintaining certafn Turnpike Roads in the Stewarty of *Kirkcudbright*, and the other Highways, Bridges, and Ferries therein, and for more effectually converting into Money the Statute Labour in the said Stewartry.

ciii. An Act to alter and amend certain Acts for making and maintaining a Road from the Limits of the Counties of *Edinburgh* and *Lanark* by *Wilsontown* into the Burgh of *Lanark*, with a Branch towards *Ravenstruther* in the said County of *Lanark*; and for other Purposes relating thereto.

civ. An Act for separating the Management of the *Ardrossan* and *Johnston* Railway from the Management of the *Glasgow*, *Paisley*, and *Johnston* Canal; for incorporating the Proprietors hereof; for doubling and improving the said Railway; and for other Purposes relating thereto.

cv. An Act to amend and enlarge some of the Provisions of the Act relating to the *Birmingham, Bristol,* and *Thames* Junction Railway; and to authorise the Company to raise a further Sum of Money for the Purposes of the said Undertaking.

cvi. An Act to alter and amend the Acts passed for making a Railway from *Dublin* to *Drogheda.*

cvii. An Act to amend and enlarge the Powers and Provisions of the Act relating to the *Glasgow, Paisley,* and *Greenock* Railway, and to make certain new Branch Railways from the Main Line in the Towns of *Greenock* and *Port Glasgow,* and to make other Works in connection with the said Railway.

cix. An Act to enable the *Hartlepool* Dock and Railway Company to raise a further Sum of Money, for completing their undertaking; and enlarging the Time for completing the same; and for amending the Acts relating thereto.

cx. An Act to amend the Acts relating to the *Taff Vale* Railway.

cxi. An Act for erecting and maintaining a Pier and other Works in *Mill Bay* in the Port of *Plymouth* in the County of *Devon.*

cxii. An Act for opening a Street to *Clerkenwell Green* in the County of *Middlesex,* in continuation of the new Street from *Farringdon Street* in the City of *London.*

cxiii. An Act for better supplying with Water the Town and Borough of *Deal,* and the neighbourhood thereof, in the County of *Kent.*

cxiv. An Act for regulating the Municipal Government and Expences of the Royal Burgh of *Banff, North Britain;* for establishing an effective Police within the same; and also for maintaining, improving, and regulating the Harbour of the said Royal Burgh.

cxv. An Act for forming and establishing a Company to be called "The General Salvage Company," and for enabling the said Company to purchase certain Letters Patent.

cxvi. An Act for improving the Roads leading from *Newcastle-under-Lyme* to *Blyth Marsh,* from *Cliff Bank* to *Shelton,* from *Fenton* to *Hem Heath,* and from *Shelton* to *Newcastle-under-Lyme;* and for making and completing certain new Pieces of Road to communicate therewith; all in the county of *Stafford.*

cxvii. An Act to alter and amend an Act passed in the Third Year of the Reign of his Majesty King *George* the Fourth, and the Acts therein recited, so far as the same relate to the Road to *Provan Mill* commonly called the *Garngad Road;* and for other Purposes relating thereto.

cxviii. An Act for farther deepening and improving the River *Clyde,* and enlarging the Harbour of *Glasgow,* and for constructing a Wet Dock in connexion with the said River and Harbour.

cxix. An Act for regulating, preserving, improving, and maintaining the River, Port, and Harbour of *Dundalk* in the County of *Louth* in *Ireland.*

cxx. An Act for regulating certain intended Docks at *Liverpool* to be called the *Herculaneum* Docks, and exempting vessels frequenting the same, and their Cargoes, from a Portion of the Tolls and Duties payable to the Trustees of the *Liverpool* Docks.

cxxi. An Act to enable the *Harrington* Dock Company to sue and be sued in the Name of any Member or Officer of the said Company; and to exempt all Vessels using the Docks belonging to the said Company, and all Goods shipped or discharged therein, or on the Estate of the said Company, from the Payment of certain Rates, Tolls, or Duties, to the Trustees of the *Liverpool* Docks.

cxxii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act for removing the Markets held in the *High* and *Fore Street* and other Places within the City of *Exeter,* and for providing other Markets in lieu thereof.

cxxiii. An Act for establishing an improved Ferry between the Western Part of the Parish of *Erskine* in the County of *Renfrew* and *Dumbarton* in the County of *Dumbarton.*

cxxiv. An Act to authorize the Trustees of the River *Weaver* in the County of *Chester* to apply Part of the Funds arising from the Rates and Duties payable in respect of the Navigation of the said River for the erecting and endowing One or more Church or Churches for the Accommodation of the Watermen, Hawlers, and others employed upon the said River and connected with the Traffic thereof.

cxxv. An Act to amend and render more effectual, so far as relates to the Lord *Scudamore's* Charity Monies, the Provisions of an Act passed in the Fourteenth Year of the Reign of His Majesty King *George* the Third, for Improving the City of *Hereford*, and for other Purposes connected with the said City.

cxxvi. An Act to enable "The *Monmouthshire* Iron and Coal Company" to sue and be sued in the Name of any One of their Directors or their Secretary, and to raise Money for carrying on their Works.

cxxvii. An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *London* and *Greenwich* Railway.

cxxviii. An Act to enable the *London* and *Greenwich* Railway Company to provide a Station in the Parish to *Saint Olave* in the Borough of *Southwark* and County of *Surrey*.

cxxix. An Act to enable the *London* and *Croydon* Railway Company to provide an additional Station Room at the Terminus of the *London* and *Greenwich* Railway in the Parish of *Saint Olave*, and for other Purposes relating thereto.

cxxx. An Act for granting further Powers to the Midland Counties Railway Company.

cxxx. An Act to continue for Four Years, from the Fifth Day of *July* One thousand eight hundred and fifty-eight, the Duties now levied on Coal and Wines imported into the Port of *London*.

PRIVATE ACTS,

Printed by the Queen's Printer, and whereof the Printed Copies may be given in evidence.

i. AN Act for inclosing Lands in the Parish of *Garboldisham* in the County of *Norfolk*.

ii. An Act for inclosing Lands in the Parishes of *Freethorpe*, *Limpenhoe*, and *Reedham*, in the County of *Norfolk*.

iii. An Act for inclosing Lands in the Township of *Allerton* in the Parish of *Bradford* in the West Riding of the County of *York*.

iv. An Act for inclosing Lands in the Parish of *Hagbourne* otherwise *East Hagbourne* in the County of Berks.

v. An Act for effecting an Exchange between the Master, Fellows, and Scholars of the College of the Holy and Undivided Trinity in the University of *Cambridge* and *Daniel Gurney* Esquire.

vi. An Act for inclosing Lands in the Parishes of *Whittlesea Saint Mary* and *Whittlesea Saint Andrew* in the County of *Cambridge*.

vii. An Act for inclosing Lands in the Parish of *Thriplow* in the County of *Cambridge*.

viii. An Act to enable the Trustees of the Will of the late *Roger Forrest* the elder to make Grants in Fee, and Leases for Years at reserved Rents, of certain Parts of his Trust Estates, situate in the Parish of *Blackburne* in the County of *Lancaster*.

ix. An Act for inclosing Lands in the Township of *Great Milton* in the County of *Oxford*.

x. An Act for inclosing Lands in the Manor of *Dronfield* in the County of *Derby*.

xi. An Act for inclosing Lands in the Parish of *Llangerniew* in the County of *Denbigh*.

xii. An Act to enable the Rector of *Weybridge* in the County of *Surrey* for the Time being to grant Building Leases of Lands in the said Parish belonging to the said Rectory.

xiii. An Act for inclosing Lands in the Parish of *Stoke Bruern* and the Hamlet of *Shutlanger* otherwise *Shuttlehanger* in the said Parish of *Stoke Bruern* in the County of *Northampton*.

xiv. An Act for inclosing Lands in the Parish of *Wicken* in the County of *Cambridge*.

xv. An Act for inclosing Lands in the Parish of *Quainton* in the County of *Buckingham*.

xvi. An Act for inclosing, dividing, and allotting certain Lands in the several Parishes of *Saint Hurmon*, *Nantmel*, *Llanyre*, and *Llanvihangel Helygan*, in the County of *Radnor*.

xvii. An Act for enabling the Trustees of the Will of *David Woodhouse* Gentleman, deceased, to sell Hereditaments thereby devised, and other Hereditaments subsequently conveyed to them, situate in the Parishes of *Crich* and *Ashover* in the County of *Derby*; and to lay out the Money arising therefrom in the Purchase of other Estates, to be settled to the same Uses.

xviii. An Act to enable the Trustees of

the Marriage Articles of *Thomas Bacon*, Esquire to grant a new Lease *to Richard Hill* and *Anthony Hill* Esquires of an Iron Furnace, and Works and Mines, Privileges and Hereditaments held therewith, called *Plymouth Works*, in the Parish of *Merthyr Tydvill* in the County of *Glamorgan*.

xix. An Act to discharge the Advowson of the Rectory of *Doddington* otherwise *Dornington*, with the Chapels of *March* and *Benwick*, from Rentcharges and Portions charged by Settlements affecting the same.

xx. An Act for extending the Powers of Sale and Exchange contained in the Will of *George Isaac Mowbray* Esquire, deceased, and for other Purposes.

xxi. An Act to enable the Trustees of the Estates of *Walter Stanley* Esquire, deceased, to grant Building Leases.

xxii. An Act to authorize the Sale of a Mansion House purchased under the Trusts of the Will of the late *John Julius Angerstein* Esquire, deceased, and to authorize Leases to be made of the same, and also of certain Lands devised by the said Will.

xxiii. An Act to enable the Trustees of *Boteler's* Free Grammar School at *Warrington* in the County of *Lancaster* to effect a Sale to *John Wright* Esquire of an Estate called the *Arrowe* Estate, in *Arrowe* in the County of *Chester;* and also to sell, exchange, and lease certain other Estates belonging to the said School; and also for the general Management of the said School; and for other Purposes.

xxiv. An Act to vest certain Parts of the Lands and Estates comprised in the Deed of Entail executed by the deceased *Alexander Hamilton* of *Pencaitland* on the Thirty-first Day of *January* One Thousand seven hundred and forty-seven, now in the Possession of *Mary Hamilton Campbell* Lady *Ruthven* as Heiress of Entail thereof, in Trustees, in Trust to sell the same, and apply the Proceeds, and also certain Sums arising from Sales of Parts of the said Lands under the Authority of an Act of Parliament passed to that Effect, towards the Payment of the Debts affecting the Lands and Barony of *Winton*, also in the Possession of the said Lady *Ruthven* as Heiress of Entail thereof, so as that the said Lands and Barony of *Winton*, free and disburdened of Debt, may descend along with the Estate of *Pencaitland* to the same Heirs of Entail.

xxv. An Act for vesting certain Parts of the Estates devised by the Will of *Robert Shuttleworth* Esquire, deceased, in Trustees for Sale; and for authorizing Grants in Fee, and Building Leases for Long Terms of Years, of the Residue of the same Estates; and for other Purposes.

xxvi. An Act to enable *Richard Gravenor* and *John Wood*, the Committees of the Estate of *Robert Gravenor*, a Lunatic, to make Conveyances for carrying into execution a Partition or Division of Lands and Tenements directed by a Decree of the High Court of Chancery.

xxvii. An Act to effect a Sale of an Estate in the Parishes of *Tong* and *Shiffnall* in the County of *Salop* called *Ruckley Grange*, and for applying the Purchase Money in discharge of Incumbrances, and other Purposes.

xxviii. An Act for inclosing *Swingfield Minnis* otherwise *Folkestone Common* within the Manor, Hundred, Barony, and Royalty of *Folkestone* in the County of *Kent*.

xxix. An Act for vesting certain Parts of the Entailed Estates of *Archibald* Lord *Douglas* of *Douglas*, lying in the County of *Forfar*, in Trustees, for the Purpose of feuing the same.

xxx. An Act to enable the Right Honourable *John Savile Lumley Savile* Earl of *Scarborough* to grant Leases of Coal Mines and other Mines and Minerals and Quarries under the Estates in the County of *York* comprised in or subject to the Uses of an Indenture of Appointment and Release of the Twenty-eighth Day of *May* One thousand eight hundred and twelve; and to make Conveyances in Fee, or Demises for long Terms of Years, of the same Estates, for building, repairing, or otherwise improving the same, under yearly Rents or other Reservations respectively; and to grant the Right and Privilege of making, laying down, and using Wayleaves, Railroads, or other Roads through or over any of the said Estates, under yearly or other Rents or Reservations.

xxxi. An Act to enable *William Chambers* Esquire, and others, to grant Mining, Building, and other Leases of certain Estates in the Counties of *Carmarthen* and *Glamorgan*, devised

by the Will of Sir *John Stepney* Baronet, deceased.

xxxii. An Act for empowering the Tenant for Life under the Will of *Anthony Gregson* Esquire, deceased, and the Trustees of the same Will, to sell and exchange certain Freehold Estates situate in the County of *Northumberland* and in the Town and Borough of *Berwick upon Tweed*, and certain Tithes respectively devised by such Will; and also to grant Mining and other Leases of the said Estates in the County of *Northumberland*, and of certain other Freehold Estates devised by the same Will situate in the County Palatine of *Durham;* and to grant Building, Repairing, and other Leases of the said Estates in the Counties of *Northumberland* and *Durham*, and Town and Borough of *Berwick upon Tweed.*

xxxiii. An Act for enabling the Revocation of a Term of Ninety-nine Years, and the Trusts thereof, affecting the Settled Estate of *John Whalley* Esquire.

xxxiv. An Act for the Continuance of certain Powers contained in the Settlement on the Marriage of *Charles Mostyn* Esquire, now deceased, and for authorizing the Investment of the Monies to arise under the Powers of Sale and Exchange contained in such Settlement in the Purchase of Estates in *Ireland* as well as in *England* and *Wales.*

xxxv. An Act to enable the Trustees of the Will of the late Duke of *Bridgewater* to make Conveyances in Fee or Demises for long Terms of Years of Parts of his Trust Estates in the Counties of *Lancaster* and *Chester*, for building on and improving the same; and to grant Leases of Coal and other Mines, and of Waste Lands; and also for removing Doubts as to the right of nominating a Minister to the Church or Chapel lately erected by the Right Honourable Lord *Francis Egerton* on Part of the said Trust Estates.

xxxvi. An Act for authorizing the Exchange of Parts of the Lands and Estates settled by the Will of the late *Charles Bowyer Adderley* Esquire, and the sale of other Parts thereof.

PRIVATE ACTS,

Not printed.

xxxvii. An Act for naturalizing *Charles Fiers.*

xxxviii. An Act for naturalizing *Samuel Swain.*

xxxix. An Act for naturalizing *August Ludwig Leopold Hausburg.*

xl. An Act for naturalizing *Friedrick Wilhelm Bernhard Promoli*

xli. An Act to dissolve the Marriage of *James Perry* esq. with *Elizabeth Margaret* his Wife, and to enable him to marry again; and for other Purposes.

xlii. An Act to dissolve the Marriage of *George Lloyd* Esquire with *Athalie Pulcherie Clotilde* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

xliii. An Act for naturalizing *Frederick Shultze.*

xliv. An Act for naturalizing *Arnold Julius Wolff.*

xlv. An Act for naturalizing *Gregoria José Martinez del Rio.*

xlvi. An Act for naturalizing His Excellency Don *Lorenzo* Duke *Sforza Cesarini.*

xlvii. An Act for naturalizing *Alexander Liebert.*

xlviii. An Act to dissolve the Marriage of *Ann Battersby* with *Arthur Battersby* her now Husband, and to enable her to marry again; and for other Purposes therein mentioned.

xlix. An Act to dissolve the Marriage of *Joseph Groome Deane* with *Rachel* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

l. An Act to dissolve the Marriage of *Jonathan Warr* with *Betty* his now wife, and to enable him to marry again; and for other Purposes therein mentioned.

li. An Act to dissolve the Marriage of *Alexander Grant* esq. with *Maria Theresa* his now Wife, and to enable him to marry again; and for other Purposes.

lii. An Act to dissolve the Marriage of *James Close* with *Louisa* his now Wife, and to enable him to marry again; and for other Purposes.

liii. An Act to dissolve the Marriage of *Edward William Trafford* esquire, with *Louisa* his Wife, and to enable him to marry again; and for other Purposes therein mentioned.

PRICES OF STOCK in each Month in 1840.

Highest and Lowest.

	Bank Stock.	3 per Ct. Reduced	3 per Ct. Consols.	3½ per Ct. 1818.	3½ per Cts. red.	New 3½ per Cts.	Long Annuit.	Old S. S. Annuit.	S.S. Stock.	India Stock.	India Bonds.	Ex.Bills £.1000.
January	179¾	92	91⅞	99⅜	100	99¼	14 3/32	89¼	99¾	251¾	6 p.m.	22 p.m.
	178	91	90⅝	99⅝	99⅜	99	14	89		249	8 dis.	2 dis.
February	179	92	91⅝	99⅝	99⅞	99⅛	14⅛	89⅜	101	249½	3 p.m.	16 p.m.
	178	91⅝	90½	99⅜	99½	98⅝	14	89⅛	100¼	246½	2 dis.	1 dis.
March	179		90⅞		99⅞	99¼	14	88⅞	100⅜	249	3 p.m.	22 p.m.
	179		90½		99⅝	98⅞			100	248	2 dis.	1 p.m.
April	175½	90¼	91⅛	98⅝	98⅝	99⅜	13⅝	89⅛	100¼	250½	6 p.m.	27 p.m.
	174¾	89⅞	90¾	98¼	98⅛	99	13⅝	87⅜	100	249½	1 p.m.	18 p.m.
May	177	91⅞	93	100⅛	100⅜	101⅞	13⅞	90⅜	101⅞	253⅜	6 p.m.	29 p.m.
	175	89⅝	90⅜	98½	98½	99⅝	13⅝	88		249½	1 p.m.	19 p.m.
June	177	92	93	100	100	101¼	13⅞	89⅜	101	254¼	5 p.m.	28 p.m.
	174¼	91½	92½	99⅝	99⅝	100¾	13¾				1 p.m.	22 p.m.
July	175	92⅝	92⅛	100⅜	100⅜	100⅞	13 7/32	90⅝	102⅜	256½	5 p.m.	33 p.m.
	173⅜	91	90⅝	99⅜	99⅜	98⅝	13⅜	89¼	100	250¼	1 p.m.	23 p.m.
August	174	92	91⅜	100¼	100⅝	99⅞	13⅜	89⅛	99⅜	254	1 p.m.	26 p.m.
	168	90¼	89¾	99	99⅛	98¼	13 1/32	88¼	99½	248	4 dis.	18 p.m.
September	169½	90⅜	89⅞	98⅝	99⅝	98⅜			97⅛	250	3 dis.	20 p.m.
	169	90⅛	87			96			97⅜	246	15 dis.	4 p.m.
October	166½	86⅞	85⅝	96	96	97⅝	12 7/8	83¾	97⅜	246¾	3 dis.	8 p.m.
	160½	85¾	86⅛	94¾	95¼	96	12¼		96⅜	242	18 dis.	5 dis.
November	161	89⅜	90½	97¾	98	98⅜	13	85¼	100⅛	244	10 dis.	7 p.m.
	159	86	87⅞	96	96	97⅛	12⅞	85⅛	98	238	20 dis.	3 dis.
December	159	89½	90⅜	97⅞	98⅛	99¼	13	88⅛		242½	10 dis.	6 p.m.
	156½	88⅜	90⅛	97	97¼	99¼	12 7/8	86⅛		241	19 dis.	1 dis.

AVERAGE PRICES OF BRITISH CORN.

FROM THE RETURNS.

	Wheat.	Barley.	Oats.	Rye.	Beans.	Peas.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
January 21	66 1	39 10	24 2	38 6	42 5	41 11
February 21 ...	65 5	39 0	23 11	37 9	40 3	40 2
March 27	67 0	38 9	25 0	37 3	40 3	40 2
April 24	68 11	39 10	25 8	37 4	41 5	40 11
May 22	68 8	39 6	26 0	37 4	42 11	41 7
June 26	67 9	36 9	27 7	37 5	44 10	42 10
July 24.....	68 1	35 3	28 0	36 2	45 5	44 8
August 21	71 1	33 5	29 2	36 10	46 3	45 6
September 25 ..	69 3	34 6	29 5	39 4	46 10	44 1
October 23.....	64 3	36 2	25 4	37 0	45 4	43 2
November 20...	62 7	35 7	22 11	36 7	44 2	43 0
December 25...	60 3	33 2	21 11	34 9	42 7	41 10

AVERAGE PRICES OF HAY, CLOVER, & STRAW ℔ LOAD.

January.	February.	March.	April.	May.	June.
Hay. 3 5 to 4 5 Clover. 4 10 to 5 10 Straw.	Hay. 3 5 to 4 8 Clover. 4 10 to 5 10 Straw.	Hay. 3 15 to 4 17 6 Clover. 4 10 to 5 17 6 Straw.	Hay. 3 0 to 4 8 Clover. 4 0 to 5 12 Straw.	Hay. 4 0 to 4 15 Clover. 3 10 to 5 18 Straw.	Hay. 3 10 to 4 8 Clover. 4 10 to 5 15 Straw.
July.	**August.**	**September.**	**October.**	**November.**	**December.**
Hay. 3 10 to 4 12 6 Clover. 4 5 to 5 15 Straw.	Hay. 4 4 to 5 5 6 Clover. 5 0 to 6 6 Straw.	Hay. 4 0 to 4 18 6 Clover. 5 0 to 6 0 Straw.	Hay. 4 10 to 5 12 6 Clover. 4 15 to 6 0 Straw.	Hay. 4 5 to 5 0 Clover. 5 0 to 5 15 6 Straw.	Hay. 3 15 to 4 18 Clover. 4 15 to 5 15 Straw.

AVERAGE PRICES OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. in Smithfield Market, in 1840.

	Beef.		Mutton.		Veal.		Pork.		Lamb.	
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
Jan.	3 6	to 4 10	4 2	to 5 0	5 0	to 6 0	4 0	to 5 0		
Feb.	3 4	to 4 8	4 2	to 5 4	5 0	to 5 10	4 4	to 5 4		
March ...	3 6	to 4 10	4 4	to 5 2	5 0	to 6 0	4 6	to 5 4		
April	3 2	to 4 4	3 10	to 4 8	4 8	to 5 6	4 4	to 5 2	6 8	to 7 4
May	3 4	to 4 8	4 0	to 5 2	5 0	to 5 8	4 4	to 5 4	6 0	to 7 0
June	3 4	to 4 8	3 10	to 4 10	4 10	to 5 8	4 0	to 5 0	5 4	to 6 4
July	3 2	to 4 6	3 6	to 4 8	4 4	to 5 0	4 0	to 5 0	4 10	to 5 6
Aug.	4 2	to 4 4	4 6	to 4 10	4 6	to 5 4	4 4	to 5 4	5 0	to 5 10
Sept.	4 0	to 4 2	3 10	to 4 6	4 6	to 5 2	4 4	to 5 4	4 0	to 4 8
Oct.	3 4	to 4 6	4 0	to 5 0	4 4	to 5 2	4 4	to 5 4		
Nov.	3 6	to 5 0	4 0	to 5 2	4 10	to 5 10	4 6	to 5 6		
Dec.	3 6	to 5 0	3 10	to 5 2	5 6	to 5 10	4 6	to 5 6		

BILLS OF MORTALITY, *from December* 31, 1839, *to December* 22, 1840.

Christened	Males.. 7,965	15,919	Buried	Males... 7,175	14,268
	Females 7,954			Females 7,093	

Decrease in the number of Burials this Year, 2,480.

WHEREOF HAVE DIED,

Under two years of age	3413	Between sixty and seventy	1393
Between two and five	1497	Seventy and eighty	1059
Five and ten	725	Eighty and ninety	396
Ten and twenty	560	Ninety and a hundred	54
Twenty and thirty	975	One hundred	2
Thirty and forty	1259		
Forty and fifty	1301		
Fifty and sixty	1202		

TABLE of the Number of BANKRUPTS & DECLARATIONS of INSOLVENCY.

	England.	Ireland.	Scotland.	Total.	Declarations of Insolvency
January	116	4	30	150	17
February	142	6	29	177	17
March	150	5	11	166	18
April	122	14	70	206	12
May	114	5	17	136	10
June	113	5	19	137	10
July	116	18	41	175	17
August	104	2	28	134	8
September	99	2	44	145	7
October	90	4	19	113	4
November	121	5	24	150	11
December	145	2	34	181	19
			Total	1870	150

METEOROLOGICAL TABLE FOR 1840.

Month.	Barometer.		Thermometer.		Number of Rainy and Snowy Days.
	Highest.	Lowest.	Highest.	Lowest.	
	In. Pts.	In. Pts.	o	o	
January	30·49	28·90	54	20	10
February	30·60	28·40	54	29	11
March	30·64	29·78	55	33	8
April	30·30	29·64	76	35	5
May	30·30	29·38	78	42	10
June	30·14	28·80	79	48	10
July	30·26	29·50	74	52	9
August	30·23	29·26	81	54	2
September	30·20	29·26	76	44	15
October	30·55	29·20	64	39	10
November	30·45	28·73	60	31	12
December	30·61	29·27	54	9	6

UNIVERSITY OF OXFORD.

OXFORD HONOURS. TERM.—PASCHAL, 1840.

In Literis Humanioribus.

CLASSIS I.

Arnold, Charles T. *Magdalen Hall.*
Bather, Edward, *Merton.*
Hext, George, *Corpus.*
Landon, James T. B. *Worcester.*
Tate, Francis, *University.*

CLASSIS II.

Adams, Henry C. *Magdalen.*
Blaydes, Frederick H. M. *Christ Church.*
Coote, Algernon, *Brasen-nose.*
Dasent, George W. *Magdalen Hall.*
Farrer, Oliver W. *Balliol.*
Farrer, Thomas H. *Balliol.*
Fronde, James A. *Oriel.*
Rendall, Henry, *Trinity.*
Taylor, John O. *Brasen-nose.*
Venn, Edward S. *Wadham.*
Walter, John, *Exeter.*

CLASSIS III.

Arden, George, *Wadham.*
Baxter, Arthur G. *Worcester.*
Bennett, Hugh, *Worcester.*
Buckland, John R. *Christ Church.*
Burstell, Stephen, *University.*
Chichester, Robert H. *Exeter.*
Fawcett, Ralph T. *University.*
Fuller, Isaac, *New Inn Hall.*
Gee, Richard, *Wadham.*
Howard, Nathaniel A. *Exeter.*
Rawnsley, Robert D. B. *Magdalen.*
Renaud, William, *Exeter.*
Royce, David, *Christ Church.*
Sale, Charles J. *Lincoln.*
Spring, George T. *St. Edmund Hall.*
Stewart, David D. *Exeter.*
St. John, Henry T. *University.*
Thomson, William, *Queen's.*
Walker, Robert A. *St. John's.*

CLASSIS IV.

Clarke, Charles L. S. *New College.*
Coke, Edward F. *Brasen-nose.*
Dean, Charles K. *Queen's.*
Ellerton, George M. R. *Brasen-nose.*
Gabriel, John B. *St. Edmund Hall.*
Garrard, Thomas, *St. John's.*
Jackson, Thomas, *Brasen-nose.*
Manson, Alexander T. G. *Magdalen.*
Richards, Henry M. *Christ Church.*
Robertson, Frederick W. *Brasen-nose.*
Rowden, George C. *New College.*
Sconce, Robert R. *Brasen-nose.*
Trollope, John J. *Pembroke.*
Vaux, William S. W. *Balliol.*

In Disciplinis Mathematicis et Physicis.

CLASSIS. I.

Compton, John, *Merton.*

CLASSIS II.

Fawcett, Ralph T. *University.*

CLASSIS III.

Browne, Charles H. *Worcester.*
Lefroy, Henry M. *Exeter.*

CLASSIS. IV.

Fletcher, John, *St. Mary Hall.*
Greaves, Richard W. *St. Edmund Hall.*
Grucher, Charles S. *St. Magdalen Hall.*
Sandham, James M. *St. John's.*
Porkington, Charles, *Brasen-nose.*

Examiners.

Lit. Hum.

R. Greswell.
W. E. Jelf.
R. Wall.

Lit. Math.

T. Twiss.
N. Pocock.
J. A. Ashworth.

OXFORD HONOURS. Term, Michaelmas, 1840.

In Literis Humanioribus.

Classis I.

Congreve, Richard, *Wadham.*
Hannah, John, *Corpus*
Henderson, William G. *Magdalen.*
Hobhouse, Arthur, *Balliol.*
Lingen, Ralph R. W. *Trevon.*
Ormsby, Robert, *Lincoln.*

Classis II.

Baker, Joseph, *Worcester.*
Bulston, Francis, *Christ Church.*
Bunsen, Henry G. *Oriel.*
Green, Thomas, *Brasen-nose.*
Hobart, Vere H. *Trevon.*
Holland, Edward, *Magdalen Hall*
King, James E. *Oriel.*
Nicholls, Jasper H. *Oriel.*
Perry, George G. *Corpus.*
Ryan, Vincent W. *Magdalen Hall*
Tancred, William, *Christ Church.*
Walters, Thomas D. *Christ Church.*

Classis III.

Barker, Arthur A. *Magdalen.*
Chevallier, Barrington, *Brasen-nose*
Coffin, Robert A. *Christ Church.*
Hay, Charles R. *Merton.*
Heslop, Alexander, *Queen's.*
Holmes, William G. *Wadham.*
Jones, William H. *Magdalen.*
Murray, George E. *Christ Church.*
Newman, William S. *Wadham.*
Price, Bartholomew, *Pembroke.*
Radcliffe, John W. *Lincoln.*
Shute, George B. H. *Wadham*
Whatman, William G. *Christ Church.*

Classis IV.

Bowles, Henry A. *St. John's.*
Burnett, Stuart Abraham *Brasen-nose.*
Coulthard, Thomas, *Queen's.*
Cranley, Lord, *Christ Church.*
Hill, Henry, *Wadham.*
Lloyd, Richard, *Merton.*
Longmore, Joseph L. *Lincoln.*
Messiter, George M. *Wadham.*
Penrice, John, *Brasen-nose.*
Rogers, Edward, *Christ Church,*
Russell, William, *New Inn Hall.*
Snow, George D. *St. Mary's Hall.*
Sumner, Charles, *Balliol.*
White, John, *Lincoln.*
Whitehead, Thomas C. *Wadham.*
Wodehouse, Thomas, *Balliol.*
Woollcombe, George, *Christ Church.*

In Disciplinis Mathematicis et Physicis.

Classis I.

Howell, William C. *Brasen-nose.*
Price, Bartholomew, *Pembroke.*
Warner, Edward, *Wadham.*

Classis II.

Burnett, Stuart Abraham *Brasen-nose.*
Ford, George J. *Exeter.*
Henderson, William G. *Magdalen.*
Radford, William T. A. *Exeter.*

Classis III.

Bigge, Arthur, *University.*
Smith, William E. *Exeter.*

Classis IV.

Bowles, Henry A. *St. John.*
Paul, John, *Magdalen Hall.*
Taylor, William, *Trinity.*
Whitehead, Thomas C. *Wadham.*

Examiners.

Lit. Hum.

R. Greswell.
R. Michell.
C. P. Eden.
W. E. Jelf.

Dis. Math.

N. Pocock.
W. F. Donkin.
J. A. Ashworth.

UNIVERSITY OF CAMBRIDGE.

CAMBRIDGE HONOURS. Mathematical Tripos. 1840.

Moderators. { Alexander Thurtell, M. A. *Caius.*
Thomas Gaskin, M. A. *Jesus.*

Examiners. { Henry Wilkinson Cookson, M. A. *Peter's.*
Archibald Smith, M. A. *Trinity.*

Wranglers.

Ds. Ellis, R. L. 1 ..... *Trinity.*
Goodwin 2 ..... *Caius.*
Worlley ..... *John's.*
Coombe ..... *John's.*
Ellis ..... *John's.*
Lerothwaite ..... *Magdalen.*
Wood, *α.* ..... *John's.*
Croker ..... *Caius.*
Hue ..... *Caius.*
Griffith ... } *Æq.* { *John's.*
Williams .. } *Æq.* { *John's.*
Kirby ..... *John's.*
Watt ..... *Trinity.*
Mate ..... *Trinity.*
Haynes ..... *Caius.*
Gibson ..... *Jesus.*

Senior Optimes.

Ds. Richards ..... *Sidney.*
Blenkison, *γ.* ..... *Trinity.*
Andrew ..... *Pembroke.*
Meeres ..... *Clare.*
Williamson ..... *John's.*
Marsh ..... *Trinity.*
Cockburn ..... *Trinity.*
Potter ..... *Peter's.*
Stevenson ..... *Christ's.*
Hodgson ..... *Peter's.*
Wright, *γ.* ..... *Trinity.*
Allan .... } *Æq.* { *Trinity.*
M'Ewen .. } *Æq.* { *Magdalen.*
Sandbach ..... *Trinity.*
Ellis, F. H. } *Æq.* { *Trinity.*
Powell .... } *Æq.* { *Jesus.*
Pownall ..... *John's.*
Broadwood ..... *Trinity.*
Garvey ..... *Christ's*
Kemp ..... *Corpus.*
Ward ..... *John's.*
Deacle ..... *John's.*
Hill, *γ.* ..... *John's.*
D'Aguilar ..... *John's.*
Hervey ..... *Clare.*
Beckwith ..... *Corpus.*
Kennedy ..... *Christ's*
Empson ..... *Trinity.*
Thornton ..... *Pembroke.*
Atlay, *α.* ..... *John's.*
Brett ..... } *Æq.* { *Emmanuel.*
Green, *γ.* .. } *Æq.* { *Clare.*
Bramah ..... *John's.*
Rogers, *β.* ..... *John's.*
Morgan .. } *Æq.* { *Trinity.*
Swan .... } *Æq.* { *John's.*
Chambers, *β.* ..... *Emmanuel.*
Smith ..... *John's.*
Montague ..... *Emmanuel.*
Boyce ..... *Trinity.*
Fowke ..... *Caius.*
Maltby ..... *John's.*
Goodden, *α.* ..... *Trinity.*
Shaw, *β.* .... } *Æq.* { *John's.*
Willan ..... } *Æq.* { *Christ's.*

Junior Optimes.

Ds. Drane ..... *Peter's.*
Woolaston, *α.* ..... *Peter's.*
Downton ..... *Trinity.*
Blackwell.. } *Æq.* { *Corpus.*
Lukis .... } *Æq.* { *Trinity.*
Dean ..... *John's.*
Moore ..... *John's.*
Heale ..... *Queen's.*
Gunning ..... *Queen's.*
Jennings, *α.* ..... *John's.*
Barker ..... *Caius.*
Shadwell, *β.* ..... *John's.*
Jackson ..... *John's.*
Wann ..... *John's.*
Marsland ..... *Clare.*
Parker ..... *Emmanuel.*
Hales .... } *α.* { *Magdalen.*
Taylor .... } *α.* { *Trinity.*
Wale ..... *Magdalen.*
Calder ..... *John's.*
Spurgin ..... *Corpus.*
Birkett.... } *Æq.* { *John's.*
Rothery ... } *Æq.* { *John's.*
Male ..... *Caius.*
Woodhouse ..... *Caius.*
Bowness ..... *Jesus.*
Harris, *γ.* ..... *Pembroke.*
Hurst ..... *Trinity.*
Dingle .... } *Æq.* { *Corpus.*
Hume .... } *Æq.* { *Trinity.*

Wicks ..... *Trinity.*
Pagan ..... *John's.*
Pott ..... *Caius.*
Powell ..... *Pembroke.*
Thompson ..... *Christ's.*
Pyne ..... *Peter's.*
Browne ..... *John's.*
Clifford, Spencer ... Æq. *John's.* / *Trinity.*
Rogers, H. ..... *Trinity.*
Spinks ..... *Magdalen.*
Wheelwright ..... *Peter's.*
Newell ..... *Clare.*
Elliott ..... *Queen's.*
Middleton ..... *John's.*
Hocken ..... *Trinity.*
Rhodes ..... *John's.*
Oak ..... *John's.*
Lloyd ..... *John's.*
Stevens ..... *Magdalen.*
Bright, β. ..... *Magdalen.*
Darby ..... *John's.*
Randolph, W. ..... *John's.*
Rogers, J. ..... *Trinity.*
Hodson, α., Spencer, γ. Æq. *Trinity.* / *Pembroke.*
Maule ..... *John's.*
Chapman, β. ..... *John's.*

Law, β. ..... *Trinity.*
France, α. ..... *John's.*
Randolph, F. ..... *John's.*
Lamb ..... *Jesus.*
Moore ..... *Catherine.*
Pitman, α. ..... *John's.*
Peach, γ. ..... *Emmanuel.*
Neville ..... *Magdalen.*
Strettell, A., Thomson, β. Æq. *Trinity.* / *John's.*
Child ..... *John's.*
Fiske ..... *John's.*
Fletcher, γ. ..... *Christ.*
Davies ..... *Queen's.*
Drew, γ. ..... *Trinity.*
Dixie, β. ..... *Emmanuel.*
Lerothwaite ..... *Trinity.*
Cockin, γ., Davies .... Æq. *Queen's.* / *Trinity.*
King, α. ..... *Trinity.*
Hale ..... *John's.*
M'Neill, γ. ..... *Trinity.*
Haddon ..... *Trinity.*
Cabusac .., Drury, α... Æq. *John's.* / *Caius.*
Goulburn, γ. ..... *Trinity.*
Irwin, β. ..... *Pembroke.*
Sandford, β. ..... *Magdalen.*

Classical Tripos. 1840.

Examiners.
Joseph Henry Jerrard, M. A. *Caius.*
George John Kennedy, M. A. *John's.*
Richard Shilletto, M. A. *Trinity.*
Benjamin W. Beatson, M. A. *Pembroke.*

First Class.

Ds. France .... Goodden .. Æq. *John's.* / *Trinity.*
Hodson .. Wood .... Æq. *Trinity.* / *John's.*
Taylor ..... *Trinity.*
King ..... *Trinity.*
Jennings .. Pitman .... Æq. *John's.* / *John's.*
Atlay ..... *John's.*
Drury ..... *Caius.*
Clive, Visc. Woollaston Æq. *John's.* / *Peter's.*

Second Class.

Ds. Bright ..... *Magdalen.*
Sandford ..... *Magdalen.*
Irwin ..... *Pembroke.*
Dixie ..... Law ..... Æq. *Emmanuel.* / *Trinity.*
Allan .... Griffith .... Æq. *Trinity.* / *John's.*

Shadwell ..... *John's.*
Chapman .. Thomson .. Æq. *John's.* / *John's.*
Chambers . Rogers .... Shaw ..... Æq. *Emmanuel.* / *John's.* / *John's.*

Third Class.

Ds. Goulburn ..... *Trinity.*
M'Neill ..... *Trinity.*
Hill ..... Wright .... Æq. *Jesus.* / *Trinity.*
Fletcher ..... *Christ's.*
Drew ..... Green .... Æq. *Trinity.* / *Clare.*
Blenkison ..... *Trinity.*
Cockin ..... *Queen's.*
Peach ..... *Emmanuel.*
Harris .... Morgan ... Æq. *Pembroke.* / *Trinity.*
Spencer ..... *Pembroke.*

I.—DOMESTIC.

HER MAJESTY'T TREATY OF MARRIAGE.

(Presented to both Houses of Parliament by command of Her Majesty.)

TREATY *for the Marriage of Her Majesty with the Prince Albert of Saxe Coburg Gotha. Signed at London, February* 7, 1840.

Be it known unto all men by these presents, that whereas her most sacred majesty Victoria, by the grace of God, queen of the United Kingdom of Great Britain and Ireland, has judged it proper to announce her intention of contracting a marriage with his serene highness the prince Albert Francis Augustus Charles Emmanuel, of Saxe Coburg Gotha, second son of his serene highness the reigning duke of Saxe-Coburg-Gotha; in order therefore to treat, conclude, and confirm the articles of the said marriage, her said majesty, and their said serene highnesses, have named and authorized as their plenipotentiaries, that is to say—

[Here follow the names of the archbishop of Canterbury, the lord chancellor, lords Lansdowne, Normanby, John Russell, Palmerston, and Melbourne, and the chancellor of the exchequer, on the part of her majesty; and baron Stockmar on the part of the reigning duke and prince Albert of Saxe-Coburg-Gotha.]

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:—

Art. 1. It is concluded and agreed that the marriage between her majesty the queen of the United Kingdom of Great Britain and Ireland, and his serene highness the prince Albert Francis Augustus Charles Emmanuel, of Saxe-Coburg-Gotha, shall be solemnized in person, in that part of the United Kingdom of Great Britain and Ireland called Great Britain, according to the due tenour of the laws of England, and the rites and ceremonies of the church of England, as soon as the same may conveniently be done.

2. Her majesty the queen of the United Kingdom of Great Britain and Ireland engages to secure to his serene highness the prince Albert Francis Augustus Charles Emmanuel of Saxe-Coburg-Gotha, the annual sum of 30,000*l.* sterling during his life, whether he shall survive her majesty or not; the said annual sum to be paid to his serene highness quarterly, and the first payment at the above annual rate, to be made on the 5th day of April, 1840.

It is further agreed and declared, that out of the said annuity the prince shall defray his own personal expences and the charge of his own establishment. And it is moreover understood and agreed, that the prince shall not claim any

other rights of property in respect of his being consort of her majesty the queen.

The sons or daughters of the said marriage shall be brought up according to the laws of the United Kingdom of Great Britain and Ireland in that respect, and no children of this marriage shall be allowed to marry without the consent of her majesty the queen, or of the king or queen of the said United Kingdom for the time being.

4. The present treaty shall be ratified by her Britannic majesty on the one part, and by their serene highnesses the reigning duke and the prince Albert Francis Augustus Charles Emmanuel of Saxe Coburg Gotha, on the other; and the ratifications shall be exchanged at London within three weeks from the date hereof.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 7th day of February, in the year of our Lord 1840.

W. Cantuar.	Palmerston.
Cottenham, C.	Melbourne.
Lansdowne.	F. T. Baring.
Normanby.	Stockmar.
J. Russell.	

THE REGENCY BILL.

Title—A Bill to provide for the administration of the government in case the crown should descend to any issue of her majesty whilst such issue shall be under the age of eighteen years, and for the care and guardianship of such issue.

Preamble—Whereas your majesty, by your majesty's royal message to both houses of parliament, has been pleased to state that the uncertainty of human life and the deep sense your majesty feels of duty to your people, rendered it incumbent upon your majesty to recommend to both houses of parliament to consider contingencies which may hereafter take place, and to make such provision as will, in any event, secure the exercise of royal authority; and that your majesty would be prepared to concur with the two houses of parliament in those measures which may appear best calculated to maintain unimpaired the power and dignity of the crown, and thereby to strengthen the securities which protect the rights and liberties of your people; and whereas, with the most cordial sense of duty and gratitude to your majesty for the tender concern and regard so uniformly and now more especially demonstrated for the happiness of your people and the security of their rights and liberties, we have taken this most important business into our consideration, and being thoroughly convinced of the wisdom and expediency of what your majesty has thought fit to recommend, we are firmly and zealously determined to contribute every thing in our power to maintain unimpaired the power and dignity of the crown, and to strengthen the securities which protect the rights and liberties of the people. We, therefore, your majesty's most dutiful and loyal subjects, the lords spiritual and temporal, and commons, in parliament assembled, do most humbly beseech your majesty that it may be enacted, &c.

Clause 1. That if at the demise of her present majesty (whom God long preserve) there shall be issue of her said majesty who shall become and be king or queen of this realm whilst under the age of

eighteen years, his royal highness prince Albert, the consort of her said majesty, shall be the guardian, and shall have the care, tuition, and education of such issue, until such issue shall attain the age of eighteen years, and shall till such age have the disposition, ordering, and management, of all matters and things relating thereto; and his said royal highness prince Albert shall, until such issue of her said majesty shall attain the age of eighteen years, and no longer, have full power and authority, in the name of such issue, and in his or her stead, and under the style and title of regent of the United Kingdom of Great Britain and Ireland, to exercise and administer, according to the laws and constitution thereof, the royal power and government of this realm, and all the dominions, countries, and territories to the crown thereof belonging, and use and exercise and perform all prerogatives, authorities, and acts of government and administration of government which belong to the king or queen of this realm to use, execute, and perform, according to the laws thereof, but in such manner and subject to such conditions, restrictions, limitations, and regulations, as are hereinafter for that purpose specified, mentioned, and contained.

Clause 2. That all acts of royal power, prerogative, government, and administration of government, of what nature or kind soever, which shall be done or executed during the regency established by this act, otherwise than by and with the consent of and authority of the said regent, in the manner and according to the direction of this act set forth and prescribed, shall be absolutely null and void to all intents and purposes.

Clause 3. That the regent, before he shall act or enter upon his said office of regent, shall take the oaths of allegiance and supremacy in the form prescribed and required by an act passed in the first year of the reign of king William and queen Mary, entitled, "An act for abrogating the oaths of supremacy and allegiance, and appointing other oaths," and shall also take the oath of abjuration in such manner and form as is set down and prescribed in an act passed in the sixth year of the reign of king George the Third, entitled, "An act for altering the oath of abjuration and the assurance, and for amending so much of an act of the seventh year of her late majesty queen Anne, entitled, "An act for the improvement of the union of the two kingdoms," and after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason or misprision of treason;" as also the following oaths; that is to say—

Oaths—"I do solemnly promise and swear that I will truly and faithfully execute the office of regent of the United Kingdom of Great Britain and Ireland, according to an act of parliament made in the fourth year of her majesty queen Victoria, entitled, "An act to provide for the administration of the government in case the crown should descend to any issue of her majesty whilst such issue shall be under the age of eighteen years, and for the care and guardianship of such issue;" and that I will administer the government of this realm, and of all the dominions thereunto belonging, according to the laws, customs, and statutes thereof, and will in all

things, to the utmost of my power and bility consult and maintain the safety, honour, and dignity of his or her (as the case shall require) majesty, and the welfare of his or her (as the case shall require) people. "So help me God."

"I do faithfully promsie and swear that I will inviolably maintain and preserve the settlement of the true Protestant religion, with the government, discipline, rights, and privileges of the church of Scotland, as established by law. "So help me God."

Which oaths shall be taken before the privy council then in being, who are hereby empowered and required to administer the same, and to enter the same in the council-books.

Clause 4. That it shall not be lawful for the king or queen of this realm, for whom a regent is hereby appointed, to intermarry before his or her age of eighteen years, with any person whomsoever, without the consent, in writing, of the regent, and the assent of both houses of parliament previously obtained; and every marriage without such consent and such assent of the two houses of parliament shall be null and void to all intents and purposes; and every person who shall be acting, aiding, abetting, or concerned in obtaining, procuring, or bringing about any such marriage, and the person who shall be so married to such king or queen under the age of eighteen years, shall be guilty of high treason, and suffer and forfeit as in case of high treason.

Clause 5. That the regent shall not give or have power to give the royal assent to any bill or bills in parliament for repealing, changing, or in any respect varying from the order and course of succession to the crown of this realm, as the same stands now established by the act of the 12th year of the reign of king William III., entitled, "An act for the further limitation of the crown, and better securing the rights and liberties of the subject," or to any act for repealing or altering the act made in the 13th year of the reign of king Charles II., intituled "An act for the uniformity of public prayers and administration of sacraments, and other rites and ceremonies, and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons, in the church of England," or an act of the fifth year of the reign of queen Anne, made in Scotland, intituled "An act for securing the Protestant religion and Presbyterian government."

Clause 6. Provided always, and be it further enacted, that if his said royal highness prince Albert shall, at any time after becoming such guardian and regent, marry a person professing the Roman Catholic religion, or shall cease to reside in or absent himself from the United Kingdom of Great Britain and Ireland, then and in either of such cases his said royal highness shall no longer be guardian and regent, and all the powers and authorities which he may have derived under and by virtue of this act shall henceforth cease and determine.

House of Saxe Coburg Saalfeld, now Saxe Coburg Gotha, 1675 to 1840.

John Ernest, seventh son of Ernest the Pious, was the founder of this house, originally called Saxe Saalfeld, till, upon obtaining the principality of Coburg, it assumed the above title.

Christian Ernest and Francis Josias governed jointly after the death of their father, in 1729, till the decease of Christian Ernest, in 1757, left his brother the sole possessor. He died in 1764.

Ernest Frederick died in 1800.

Francis Frederick Anthony, married, firstly, in 1776, Ernestina Frederica Sophia, daughter of Duke Ernest Frederick Charles, of Saxe Hildburghausen, who died in the same year; and secondly, in 1777, Augusta Carolina Sophia, daughter of Count Henry XXIV. Rouss of Ebersdorf, by whom he had issue:—

Ernest Anthony Charles Lewis, the reigning duke, born January 2, 1784, succeeded his father December 3, 1806. He married firstly, on the 31st of July, 1817, Louisa Dorothea, Princess of Saxe Gotha, from whom he was separated in 1826, and who died in 1831; and secondly, on the 23rd of December, 1832, Mary, daughter of the late Duke Alexander of Wurtemberg, uncle of the king. By the first marriage he has two sons:—

Ernest Augustus Charles, hereditary prince, born June 21st, 1818.

Albert Francis Augustus Charles Emanuel, born August 26th, 1819.

The duke's brothers and sisters are:—

Juliana Henrietta Ulrica, born September 23, 1781, married, in 1796, to the Grand Duke Constantine of Russia, when she assumed the name of Anna Feodorowna. She was divorced from him March 20th, 1820, and resides at Elfenau, near Berne, in Switzerland.

Ferdinand George Augustus, born March 28, 1785, Lieutenant Field-Marshal in the Austrian service, married, January 2nd, 1816, to Antonie Marie Gabrielle, Princess of Kohary, by whom he has issue:—

Ferdinand Augustus Francis Anthony, born October 29th, 1816, married April 9th, 1836, to Donna Maria II., Queen of Portugal, and constitutionally invested with the royal dignity on the 16th of September, 1837, on which day the queen gave birth to an heir to the crown, Peter Ferdinand, Duke of Porto.

Augustus Lewis Victor, born June 13th, 1818.

Victoire Auguste Antonie, born February 14th, 1822, betrothed to the Duke de Nemours, second son of the king of the French.

Leopold Francis, born January 31st, 1824.

Maria Louisa Victoria, born August 17th, 1796, married firstly, December 21st, 1803, to Emich Charles, Prince of Leiningen, who died in 1814, and by whom she has issue:—

Charles Frederick, present Prince of Leiningen, born September 15th, 1804, married February 13th, 1829, to Maria, daughter of the late Count Maximilian of Knebelsberg.

Anna Feodorowna, born De-

cember 7th, 1807, married, February 8th, 1828, to Ernest Christian Charles, the present Prince of Hohenloe Langenburg.

The Princess married, secondly, July 11th, 1818, his royal highness the Duke of Kent, who died January 23, 1823, and by whom she became mother of her Majesty Victoria, Queen of Great Britain, born May 24th, 1819.

Leopold George Christian Frederick, born December 16th, 1790. married, May 2, 1816, to her royal highness the Princess Charlotte of Wales, who died November 6th, 1817. After refusing the crown of Greece, he was elected King of Belgium, June 4th, 1831, and married, secondly, on the 9th of August, 1832, Louise Marie Therese, eldest daughter of Louis Philippe, King of the French, born at Palermo, April 3, 1812, by whom she had issue:—

Louis Philippe Leopold Victor Ernest, born July 24, 1833, died May 16, 1834.

Leopold Louis Philippe, born April 9, 1835, hereditary prince.

Philippe Eugene Ferdinand, born March 24th, 1837.

Previously to the treaty of Congress signed at Vienna in 1815, the possessions of the Duke of Saxe Coburg Saalfeld comprised 17½ German, or about 375 English square miles, with a population, according to the census taken in 1812, of 57,266 souls. The revenues of the prince amounted, in 1807, to 425,000 florins.

From the territories since added, as well by the treaty of congress, as by inheritance, the ducal dominions now comprise 37 geographical, or 795 English square miles, and 130,000 inhabitants. The revenues amount to 1,100,000 guilders, besides which the duke receives from Prussia an annuity of 80,000 rixdollars for the principality of Lichtenberg, which he ceded to that power. The debts of the state are estimated at three millions of guilders. Its contingent to the army of the Germanic confederation is 1,116 men.

A Bill to give Summary Protection to Persons employed in the Publication of Parliamentary Papers.

Whereas, it is essential to the due and effectual exercise and discharge of the functions and duties of parliament, and to the promotion of wise legislation, that no obstructions or impediments should exist to the publication of such of its reports, votes, and proceedings, as either house of parliament may deem fit and necessary to be published:

And whereas obstructions or impediments to such publications have arisen, and hereafter may arise, by means of civil or criminal proceedings being taken against persons employed or acting by the authority of the houses of parliament, or one of them, in making or causing such publications: by reason and for remedy whereof, it is expedient that more speedy protection should be afforded to all persons acting under the authority aforesaid, and that all such civil or criminal proceedings should be summarily put

an end to and determined in manner hereinafter mentioned:

Be it therefore enacted by the queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that it shall and may be lawful for any defendant or defendants heretofore, now, or hereafter sued or prosecuted, civilly or criminally, in any manner howsoever, for or on account, or in respect of the publication of any such reports, votes, or proceedings by or under the authority of either house of parliament, to deliver or cause to be delivered and left at the office of the court, or jurisdiction wherein any such suit, prosecution, or proceeding may be commenced, depending, or prosecuted, in which the judgment in such matters is signed or entered, or with the officer, clerk, or person whose duty it may be to sign or to enter such judgment, or to make up, prepare, or receive, or file the rolls or records of such judgment, with an affidavit verifying the same, a certificate under the hand of the lord high chancellor of Great Britain, or the lord keeper, or the speaker of the house of lords for the time being, or the clerk of the parliament, or of the speaker of the house of commons, or of the chief clerk of the same house, stating that such civil or criminal proceeding is commenced and prosecuted for and in respect of the publication of reports, votes, or proceedings, as the case may be, by authority of the house of lords, or of the house of commons, as the case may be; and from and after the delivery of such certificate and affidavit no proceeding, writ, or process whatever shall be had, taken, executed, or prosecuted in such civil or criminal proceeding; but the same civil or criminal proceeding, writ, and process, whether heretofore commenced, prosecuted, or issued, or hereafter to be commenced, prosecuted, or issued, shall thenceforth be and shall be deemed and taken to be finally concluded, put an end to, determined, and superseded by authority of this act.

And whereas during the present session of parliament certain warrants have been granted by the speaker of the house of commons, under the authority of the said house, in relation to the matters aforesaid; and a certain action or actions have been, or may be, brought for certain alleged trespasses in the execution of the said warrants; and it is expedient that such action or actions should be put an end to, and finally determined, discharged, and made void by virtue of this act: be it enacted, that all and every action or actions heretofore brought or prosecuted, or which may hereafter be brought or prosecuted, by any person or persons for or in respect of any alleged trespass or trespasses under or in execution of any warrant or warrants granted by the speaker of the house of commons, by authority of the said house, since the commencement of the present session of parliament, shall be put an end to, and finally determined, discharged, and made void by virtue of this act.

Provided always, and it is hereby expressly declared and enacted, that nothing herein contained shall be deemed or taken, or held or construed, directly or indirectly, by implication or otherwise, to affect the privileges of parliament in any manner whatsoever.

II.—FOREIGN.

President's Message to the Twenty-Sixth Congress. First Session.

December 2, 1839.

Fellow-Citizens of the Senate and House of Representatives,

I regret that I cannot on this occasion congratulate you that the past year has been one of unalloyed prosperity. The ravages of fire and disease have painfully afflicted otherwise flourishing portions of our country, and serious embarrassments yet derange the trade of many of our cities. But, notwithstanding these adverse circumstances, that general prosperity which has been heretofore so bountifully bestowed upon us by the Author of all good, still continues to call for our warmest gratitude. Especially have we reason to rejoice in the exuberant harvests which have lavishly recompensed well-directed industry, and given to it that sure reward which is vainly sought in visionary speculations. I cannot indeed view without peculiar satisfaction the evidences afforded by the past season of the benefits that spring from the steady devotion of the husbandman to his honourable pursuit. No means of individual comfort is more certain, and no source of national prosperity is so sure. Nothing can compensate a people for a dependence upon others for the bread they eat; and that cheerful abundance on which the happiness of every one so much depends, is to be looked for nowhere with such sure reliance as in the industry of the agriculturist and the bounties of the earth.

With foreign countries our relations exhibit the same favourable aspect which was presented in my last annual message, and afford continued proof of the wisdom of the pacific, just, and forbearing policy adopted by the first administration of the federal government, and pursued by its successors. The extraordinary powers vested in me by an Act of Congress, for the defence of the country in an emergency, considered so far probable as to require that the executive should possess ample means to meet it, have not been exerted. They have, therefore, been attended with no other result than to increase, by the confidence thus reposed in me, my obligations to maintain, with religious exactness, the cardinal principles that govern our intercourse with other nations. Happily in our pending questions with Great Britain, out of which this unusual grant of authority arose, nothing has occurred to require its exertion; and as it is about to return to the legislature, I trust that no future necessity may call for its exercise by them, or its delegation to another department of the government.

For the settlement of our north-eastern boundary, the proposition promised by Great Britain for a commission of exploration and survey has been received, and a counter-project, including also a provision for a certain and final adjustment of the limits in dispute, is now before the British government for its consideration. A just regard to the delicate state of this question, and a proper respect for the natural impatience of the state of Maine, not less than a conviction that the negotiation has been already protracted longer than is prudent on the part of either government, have led me to believe that the present favourable moment should on no account be suffered to pass without putting the question for ever to rest. I feel confident that the government of her Britannic majesty will take the same view of this subject, as I am persuaded it is governed by desires equally strong and sincere for the amicable termination of the controversy.

To the intrinsic difficulties in questions of boundary lines, especially those described in regions unoccupied and but partially known, is to be added in our country the embarrassment necessarily arising out of our constitution, by which the general government is made the organ of negotiating and deciding upon the particular interests of the states on whose frontiers these lines are to be traced. To avoid another controversy in which a state government might rightfully claim to have her wishes consulted, previously to the conclusion of the conventional arrangements concerning her right of jurisdiction or territory, I have thought it necessary to call the attention of the government of Great Britain to another portion of our conterminous dominion, of which the division still remains to be adjusted. I refer to the line from the entrance of Lake Superior to the most north-western point of the Lake of the Woods, stipulations for the settlement of which are to be found in the 7th article of the treaty of Ghent. The commissioners appointed under that article by the two governments having differed in their opinions, made separate reports, according to its stipulations, upon the points of disagreement, and these differences are now to be submitted to the arbitration of some friendly sovereign or state. The disputed points should be settled, and the line designated before the territorial government, of which it is one of the boundaries, takes its place in the Union as a state; and I rely upon the cordial co-operation of the British government to effect that object.

There is every reason to believe that disturbances like those which lately agitated the neighbouring British province will not again prove the source of border contention, or interpose obstacles to the continuance of that good understanding which it is the mutual interest of Great Britain and the United States to preserve and maintain.

Within the provinces themselves tranquillity is restored, and on our frontier that misguided sympathy in favour of what was presumed to be a general effort in behalf of popular rights, and which, in some instances, misled a few of our more inexperienced citizens, has subsided into a rational conviction strongly opposed to all intermeddling with the internal affairs of our neighbours. The people of the United States feel, as it is

hoped they always will, a warm solicitude for the success of all who are sincerely endeavouring to improve the political condition of mankind. This generous feeling they cherish towards the most distant nations; and it was natural, therefore, that it should be awakened with more than common warmth in behalf of their immediate neighbours. But it does not belong to their character, as a community, to seek the gratification of those feelings in acts which violate their duty as citizens, endanger the peace of their country, and tend to bring upon it the stain of a violated faith towards foreign nations. If, zealous to confer benefits on others, they appear for a moment to lose sight of the permanent obligations imposed upon them, as citizens, they are seldom long misled. From all the information I receive, confirmed to some extent by personal observation, I am satisfied that no one can now hope to engage in such enterprises without encountering public indignation, in addition to the severest penalties of the law.

Recent information also leads me to hope that the emigrants from her majesty's provinces, who have sought refuge within our boundaries, are disposed to become peaceable residents, and to abstain from all attempts to endanger the peace of that country which has afforded them an asylum. On a review of the occurrences on both sides of the line, it is satisfactory to reflect, that in almost every complaint against our country the offence may be traced to emigrants from the provinces who have sought refuge here. In the few instances in which they were aided by citizens of the United States, the acts of these misguided men were not only in direct contravention of the laws and well-known wishes of their own government, but met with the decided disapprobation of the people of the United States.

I regret to state the appearance of a different spirit among her majesty's subjects in the Canadas. The sentiments of hostility to our people and institutions which has been so frequently expressed there, and the disregard of our rights which have been manifested on some occasions, have, I am sorry to say, been applauded and encouraged by the people, and even by some of the subordinate local authorities of the provinces. The chief officers in Canada fortunately have not entertained the same feeling, and have probably prevented excesses that must have been fatal to the peace of the two countries.

I look forward anxiously to a period when all the transactions which have grown out of this condition of our affairs, and which have been made the subjects of complaints and remonstrance by the two governments respectively, shall be fully examined, and the proper satisfaction given where it is due from either side.

Nothing has occurred to disturb the harmony of our intercourse with Austria, Belgium, Denmark, France, Naples, Portugal, Prussia, Russia, or Sweden. The internal state of Spain has sensibly improved, and a well-grounded hope exists that the return of peace will restore to the people of that country their former prosperity, and will enable the government to fulfil all its obligations at home and abroad. The government of Portugal, I have the satisfaction

to state, has paid in full the eleventh and last instalment due to our citizens for the claim embraced in the settlement made with it on the 3rd of March, 1837.

I lay before you treaties of commerce negotiated, the ratifications of which have been exchanged with the kings of Sardinia and of the Netherlands, since the adjournment of Congress. The liberal principles of the treaties will recommend them to your approbation. That with Sardinia is the first treaty of commerce formed by that kingdom, and it will, I trust, answer the expectations of the present sovereign, by aiding the development of the resources of his country, and stimulating the enterprise of his people. That with the Netherlands happily terminates a long-existing subject of dispute, and removes from our future commercial intercourse all apprehension of embarrassment. The king of the Netherlands has also, in further illustration of his character for justice, and of his desire to remove every cause of dissatisfaction, made compensation for an American vessel captured in 1800 by a French privateer, and carried into Curaçoa, where the proceeds were appropriated to the use of the colony, then, and for a short time after, under the dominion of Holland.

The death of the late sultan has produced no alteration in our relation with Turkey. Our newly-appointed minister resident has reached Constantinople, and I have received assurances from the present ruler that the obligations of our treaty, and those of friendship, will be fulfilled by himself in the same spirit that actuated his illustrious father.

I regret to be obliged to inform you that no convention for the settlement of the claims of our citizens upon Mexico has yet been ratified by the government of that country. The first convention formed for that purpose was not presented by the president of Mexico for the approbation of its Congress, from the belief that the king of Prussia, the arbitrator in case of disagreement in the joint commission to be appointed by the United States and Mexico, would not consent to take upon himself that friendly office. Although not entirely satisfied with the course pursued by Mexico, I felt no hesitation in receiving, in the most conciliatory spirit, the explanation offered, and also cheerfully consented to a new convention, in order to arrange the payments proposed to be made to our citizens, in a manner which, while equally just to them, was deemed less onerous and inconvenient to the Mexican government. Relying confidently upon the intentions of that government, Mr. Ellis was directed to repair to Mexico, and diplomatic intercourse has been resumed between the two countries. The new convention has, he informs us, been recently submitted by the president of that republic to this Congress, under circumstances which promise a speedy ratification; a result which I cannot allow myself to doubt.

Instructions have been given to the commissioner of the United States under our convention with Texas for the demarcation of the line which separates us from that republic. The commissioners of both governments met in New Orleans in August last. The joint commission was organized, and adjourned to convene at the same place on the 12th of October. It

is presumed to be now in the performance of its duties.

The new government of Texas has shown its desire to cultivate friendly relations with us, by a prompt reparation for the injuries complained of in the case of two vessels of the United States.

With Central America a convention has been concluded for the renewal of its former treaty with the United States. This was not ratified before the departure of our late chargé d'affaires from that country, and the copy of it brought by him was not received before the adjournment of the senate at the last session. In the meanwhile the period limited for the exchange of ratifications having expired, I deemed it expedient, in consequence of the death of the chargé d'affaires, to send a special agent to Central America, to close the affairs of our mission there, and to arrange with the government an extension of the time for the exchange of ratifications.

The commission created by the states which formerly composed the republic of Columbia, for adjusting the claims against that government, has, by a very unexpected construction of the treaty under which it acts, decided that no provision was made for those claims of citizens of the United States which arose from captures by Columbian privateers, and were adjudged against the claimants in the judicial tribunals. This decision will compel the United States to apply to the several governments formerly united for redress. With all these—New Granada, Venezuela, and Ecuador—a perfectly good understanding subsists. Our treaty with Venezuela is faithfully carried into execution, and that country, in the enjoyment of tranquillity, is gradually advancing in prosperity, under the guidance of its present distinguished president, general Paez. With Ecuador a liberal commercial convention has lately been concluded, which will be transmitted to the senate at an early day.

With the great American empire of Brazil our relations continue unchanged, as does our friendly intercourse with the other governments of South America—the Argentine republic, and the republics of Uraguay, Chili, Peru, and Bolivia. The dissolution of the Peru-Bolivian confederation may occasion some temporary inconvenience to our citizens in that quarter, but the obligations on the new governments which have arisen out of that confederation, to observe its treaty stipulations, will, no doubt, be soon understood, and it is presumed no indisposition will exist to fulfil those which it contracted with the United States.

The financial operations of the government during the present year have, I am happy to say, been successful. The difficulties under which the treasury department has laboured, from known defects in the existing laws relative to the safe keeping of the public moneys, aggravated by the suspension of specie payments by several of the banks holding public deposits, or indebted to public officers for notes received in payments of public dues, have been surmounted to a very gratifying extent. The large current expenditures have been punctually met, and the faith of the government, in all its pecuniary concerns, has been scrupulously maintained.

The nineteen millions of treasury notes authorised by the act of Congress of 1837, and the modifica-

tions thereof, with a view to the indulgence of merchants on their duty bonds, and of the deposit banks in the payment of public moneys held by them, have been so punctually redeemed as to leave less than the original ten millions outstanding at any one time, and the whole amount unredeemed now falls short of three millions. Of these the chief portion is not due till next year, and the whole would have been already extinguished could the treasury have realised the payments due to it from the banks. If those due from them during the next year shall be punctually made, and if Congress shall keep the appropriations within the estimates, there is every reason to believe that all the outstanding treasury notes can be redeemed, and the ordinary expenses defrayed, without imposing on the people any additional burden, either of loans or increased taxes.

To avoid this, and to keep the expenditures within reasonable bounds, is a duty second only in importance to the preservation of our national character, and the protection of our citizens in their civil and political rights. The creation, in time of peace, of a debt likely to become permanent is an evil for which there is no equivalent. The rapidity with which many of the states are apparently approaching to this condition, admonishes us of our own duties in a manner too impressive to be disregarded. One, not the least important, is to keep the federal government always in a condition to discharge, with ease and vigour, its highest functions, should their exercise be required by any sudden conjuncture of public affairs, a condition to which we are always exposed, and which may occur when it is least expected. To this end it is indispensable that its finances shall be untrammelled, and its resources, as far as practicable, unincumbered. No circumstance could present greater obstacles to the accomplishment of these vitally important objects than the creation of an onerous national debt. Our own experience, and also that of other nations, have demonstrated the unavoidable and fearful rapidity with which a public debt is increased when the government has once surrendered itself to the ruinous practice of supplying its supposed necessities by new loans. The struggle, therefore, on our part, to be successful, must be made at the threshold. To make our efforts effective, severe economy is necessary. This is the surest provision for the national welfare; and it is, at the same time, the best preservative of the principles on which our institutions rest. Simplicity and economy in the affairs of state have never failed to chasten and invigorate republican principles, while these have been as surely subverted by national prodigality, under whatever specious pretexts it may have been introduced or fostered.

These considerations cannot be lost upon a people who have never been inattentive to the effect of their policy upon the institutions they have created for themselves; but at the present moment their force is augmented by the necessity which a decreasing revenue must impose. The check lately given to importations of articles subject to duties, the derangements in the operations of internal trade, and especially the reduction gradually taking place in our tariff of duties, all tend materially to lessen our receipts; indeed, it is probable that

the diminution resulting from the ast clause alone will not fall short of five millions of dollars in the year 1842, as the final reductions of all duties to 20 per cent. then take effect. The whole revenue then accruing from the customs, and from the sales of public lands, if not more, will undoubtedly be wanted to defray the necessary expenses of the government under the most prudent administration of its affairs. These are circumstances that impose the necessity of rigid economy, and require its prompt and constant exercise. With the legislature rest the power and duty of so adjusting the public expenditure as to promote this end. By the provisions of the constitution it is only in consequence of appropriations made by law that money can be drawn from the treasury. No instance has occurred since the establishment of the government in which the executive, though a component part of the legislative power, has interposed an objection to an appropriation bill, on the sole ground of its extravagance. His duty in this respect has been considered fulfilled by requesting such appropriations only as the public service may be reasonably expected to require. In the present earnest direction of the public mind towards this subject, both the executive and legislature have evidence of the strict responsibility to which they will be held; and while I am conscious of my own anxious efforts to perform with fidelity this portion of my public functions, it is a satisfaction to me to be able to count on a cordial cooperation from you.

At the time I entered upon my present duties, our ordinary disbursements — without including those on account of the public debt, the post-office, and the trust funds in charge of the government —had been largely increased by appropriations for the removal of the Indians, for repelling Indian hostilities, and for other less urgent expenses which grew out of an overflowing treasury. Independent of the redemption of the public debt and trusts, the gross expenditures of seventeen and eighteen millions in 1834 and 1835 had, by these causes, swelled to twenty-nine millions in 1836; and the appropriations for 1837, made previously to the 4th of March, caused the expenditure to rise to the very large amount of thirty-three millions. We were enabled during the year 1838, notwithstanding the continuance of our Indian embarrassments, somewhat to reduce this amount; and that for the present year, 1839, will not, in all probability, exceed twenty-six millions, or six millions less than it was last year. With a determination, so far as depends on me, to continue this reduction, I have directed the estimates for 1840 to be subjected to the severest scrutiny, and to be limited to the absolute requirements of the public service. They will be found less than the expenditures of 1839 by over five millions of dollars.

The precautionary measures which will be recommended by the secretary of the treasury, to protect faithfully the public credit under the fluctuations and contingencies to which our receipts and expenditures are exposed, and especially in a commercial crisis like the present, are commended to your early attention.

On a former occasion your attention was invited to various considerations in support of a pre-

emption law in behalf of the settlers on the public lands; and also of a law graduating the prices for such lands as had long been in the market unsold, in consequence of their inferior quality. The execution of the act which was passed on the first subject has been attended with the happiest consequences, in quieting titles, and securing improvements to the industrious; and it has also, to a very gratifying extent, been exempt from the frauds which were practised under previous pre-emption laws. It has, at the same time, as was anticipated, contributed liberally during the present year, to the receipts of the treasury.

The passage of a graduation law, with the guards before recommended, would also, I am persuaded, add considerably to the revenue for several years, and prove in other respects just and beneficial.

Your early consideration of the subject is, therefore, once more earnestly requested.

The present condition of the defences of our principal seaports and navy yards, as represented by the accompanying report of the secretary of war, calls for the early and serious attention of Congress; and, as connecting itself intimately with this subject, I cannot recommend too strongly to your consideration the plan submitted by that officer for the organization of the militia of the United States.

In conformity with the expressed wishes of Congress, an attempt was made in the spring to terminate the Florida war by negotiation. It is to be regretted that these humane intentions should have been frustrated, and that the effort to bring these unhappy difficulties to a satisfactory conclusion should have failed. But, after entering into solemn engagements with the commanding general, the Indians, without any provocation, recommenced their acts of treachery and murder. The renewal of hostilities in that territory renders it necessary that I should recommend to your favourable consideration the plan which will be submitted to you by the secretary of war, in order to enable that department to conduct them to a successful issue.

Having had an opportunity of personally inspecting a portion of the troops during the last summer, it gives me pleasure to bear testimony to the success of the effort to improve their discipline, by keeping them together in as large bodies as the nature of our service will permit. I recommend, therefore, that commodious and permanent barracks be constructed at the several ports designated by the secretary of war. Notwithstanding the high state of their discipline and excellent police, the evils resulting to the service from the deficiency of company officers were very apparent, and I recommend that the staff officers be permanently separated from the line.

The navy has been usefully and honourably employed in protecting the rights and property of our citizens, wherever the condition of affairs seemed to require its presence. With the exception of one instance, where an outrage, accompanied by murder, was committed on a vessel of the United States, while engaged in a lawful commerce, nothing is known to have occurred to impede or molest the enterprize of our citizens on that element where it is so signally displayed. On learning this daring

act of piracy, commodore Reed, proceeded immediately to the spot and, receiving no satisfaction either in the surrender of the murderers, or the restoration of the plundered property, inflicted severe and merited chastisement on the barbarians.

It will be seen by the report of the secretary of the navy respecting the disposition of our ships of war, that it has been deemed necessary to station a competent force on the coast of Africa, to prevent a fraudulent use of our flag by foreigners.

Recent experience has shown, that the provisions in our existing laws, which relate to the sale and transfer of American vessels while abroad, are extremely defective. Advantage has been taken of these defects, to give to vessels wholly belonging to foreigners, and navigating the ocean, an apparent American ownership. This character has been so well simulated as to afford them comparative security in prosecuting the slave trade, a traffic emphatically denounced in our statutes, regarded with abhorrence by our citizens, and of which the effectual suppression is nowhere more sincerely desired than in the United States. These circumstances make it proper to recommend to your early attention a careful revision of these laws, so that, without impeding the freedom and facilities of our navigation, or impairing an important branch of our industry connected with it, the integrity and honour of our flag may be carefully preserved. Information derived from our consul at Havannah, showing the necessity of this, was communicated to a committee of the senate near the close of the last session, but too late, as it appeared not to be acted upon. It will be brought to your notice by the proper department, with additional communications from other sources.

The latest accounts from the exploring expedition represent it as proceeding successfully in its objects, and promising results no less useful to trade and navigation than to science.

The extent of post roads covered by mail service on the 1st of July last was about 133,990 miles, and the rate of annual transportation upon them 34,496,878 miles. The number of post-offices on that day was 12,780, and on the 30th ult. 13,028.

The revenue of the Post Office Department for the year ending with the 30th of June last was $4,476,638, exhibiting an increase over the preceding year of $241,560. The engagements and liabilities of the department for the same period are $4,624,117.

The excess of liabilities over the revenue for the last two years has been met out of the surplus which had previously accumulated. The cash on hand on the 30th ult. was about $206,701, 95 cents, and the current income of the department varies very little from the rate of current expenditures. Most of the service suspended last year has been restored, and most of the new routes established by the act of the 7th of July, 1838, have been set in operation at an annual cost of $136,963. Notwithstanding the pecuniary difficulties of the country, the revenue of the department appears to be increasing; and unless it shall be seriously checked by the recent suspension of payments by so many of the banks, it will be able not only to maintain the present mail service, but in a

short time to extend it. It is gratifying to witness the promptitude and fidelity with which the agents of this department in general perform their public duties.

Some difficulties have arisen in relation to contracts for the transportation of the mails by railroad and steam-boat companies. It appears that the maximum of compensation provided by congress for the transportation of the mails upon railroads is not sufficient to induce some of the companies to convey them at such hours as are required for the accommodation of the public. It is one of the most important duties of the general government, to provide and maintain for the use of the people of the States, the best practicable mail-establishment. To arrive at that end it is indispensable that the post office department shall be enabled to control the hours at which the mails shall be carried over railroads, as it now does over all other roads. Should serious inconveniences arise from the inadequacy of the compensation now provided by law, or from unreasonable demands by any of the railroad companies, the subject is of such general importance as to require the prompt attention of congress.

In relation to steam-boat lines, the most efficient remedy is obvious and has been suggested by the postmaster-general. The war and navy departments already employ steam-boats in their service; and although it is by no means desirable that the government should undertake the transportation of passengers or freight as a business, there can be no reasonable objection to running boats, temporarily, whenever it may be necessary, to put down attempts at extortion, to be discontinued as soon as reasonable contracts can be obtained.

The suggestions of the postmaster-general relative to the inadequacy of the legal allowances to witnesses in cases of prosecutions for mail depredations, merit your serious consideration. The safety of the mails requires that such prosecutions shall be efficient, and justice to the citizen, whose time is required to be given to the public, demands not only that his expenses shall be paid, but that he shall receive a reasonable compensation.

The reports from the war, navy, and post-office departments will accompany this communication, and one from the treasury department will be presented to congress in a few days.

For various details in respect to the matters in charge of these departments, I would refer you to those important documents, satisfied that you will find in them many valuable suggestions, which will be found well deserving the attention of the legislature.

From a report made in December of last year, by the secretary of state to the senate, showing the trial docket of each of the circuit courts, and the number of miles each judge has to travel in the performance of his duties, a great inequality appears in the amount of labour assigned to each judge. The number of terms to be held in each of the courts composing the ninth circuit, the distance between the places at which they sit, and from thence to the seat of government, are represented to be such as to render it impossible for the judge of that circuit to perform in a manner corresponding with the public exigencies, his term and circuit duties. A revision, there-

fore, of the present arrangement of the circuit seems to be called for, and is recommended to your notice.

I think it proper to call your attention to the power assumed by territorial legislatures to authorize the issue of bonds by corporate companies on the guarantee of the territory. Congress passed a law in 1836, providing that no act of a territorial legislature incorporating banks should have the force of law until approved by congress, but acts of a very exceptionable character previously passed by the legislature of Florida were suffered to remain in force, by virtue of which bonds may be issued to a very large amount by those institutions, upon the faith of the territory. A resolution intending to be a joint one, passed the senate at the same session, expressing the sense of congress, that the laws in question ought not to be permitted to remain in force, unless amended in many material respects, but it failed in the house of representatives for want of time, and the desired amendments have not been made. The interests involved are of great importance, and the subject deserves your early and careful attention.

The continued agitation of the question relative to the best mode of keeping and disbursing the public money still injuriously affects the business of the country. The suspension of specie payments in 1837 rendered the use of deposit banks, as prescribed by the act of 1836, a source rather of embarrassment than aid, and of necessity placed the custody of most of the public money afterwards collected in charge of the public officers. The new securities for its safety which this required were a principal cause of my convening an extra session of congress; but, in consequence of a disagreement between the two houses, neither then, nor at any subsequent period, has there been any legislation on the subject. The effort made at the last session to obtain the authority of congress to punish the use of public money for private purposes as a crime, a measure attended under other governments with signal advantage, was also unsuccessful, from diversities of opinion in that body, notwithstanding the anxiety doubtless felt by it to afford every practicable security. The result of this is still to leave the custody of the public money without those safeguards which have been, for several years, earnestly desired by the executive; and, as the remedy is only to be found in the action of the legislature, it imposes on me the duty of again submitting to you the propriety of passing a law providing for the safe keeping of the public monies, and especially to ask that its use for private purposes, by any officers entrusted with it, may be declared to be a felony, punishable with penalties proportioned to the magnitude of the offence.

These circumstances, added to known defects in the existing laws, and unusual derangement in the general operations of trade, have, during the last three years, much increased the difficulties attendant on the collection, keeping, and disbursement of the revenue, and called forth corresponding exertions from those having them in charge. Happily these have been successful beyond expectation. Vast sums have been collected and disbursed by the several departments with unexpected cheapness and ease; transfers have been readily made

to every part of the Union, however distant; and defalcations have been far less than might have been anticipated from the absence of adequate legal restraints. Since the officers of the Treasury and Post office departments were charged with the custody of most of the public moneys received by them, there have been collected sixty-six millions of dollars, and, excluding the case of the late collector at New York, the aggregate amount of losses sustained in the collection cannot, it is believed, exceed 60,000 dollars. The defalcation of the late collector of that city, of the extent and circumstances of which congress has been fully informed, ran through all the modes of keeping the public money that have been hitherto in use, and was distinguished by an aggravated disregard of duty, that broke through the restraints of every system, and cannot, therefore, be usefully referred to as a test of the comparative safety of either. Additional information will be furnished by the report of the secretary of the treasury, in reply to a call made upon that officer by the house of representatives at the last session, requiring detailed information on the subject of defaults by public officers or agents under each administration, from 1786 to 1837. This document will be submitted to you in a few days. The general results (independent of the post office, which is kept separately, and will be stated by itself), so far as they bear upon this subject, are, that losses which have been, and are likely to be, sustained, by any class of agents, have been the greatest by banks, including, as required in the resolution, their depreciated paper received for public dues; that the next largest have been by disbursing officers, and the least by collectors and receivers. If the losses on duty bonds are included, they alone will be threefold those by both collectors and receivers. Our whole experience, therefore, furnishes the strongest evidence that the desired legislation of congress is alone wanting to ensure in those operations the highest degree of security and facility. Such also appears to have been the experience of other nations. From the results of inquiries made by the secretary of the treasury in regard to the practice among them, I am enabled to state that in twenty-two out of twenty-seven foreign governments, from which undoubted information has been obtained, the public moneys are kept in charge of public officers. This concurrence of opinion in favour of that system is perhaps as great as exists on any question of internal administration.

In the modes of business and official restraints on disbursing officers, no legal change was produced by the suspension of specie payments. The report last referred to will be found to contain also much useful information in relation to this subject.

I have heretofore assigned to congress my reasons for believing that the establishment of an independent national treasury, as contemplated by the constitution, is necessary to the safe action of the federal government. The suspension of specie payments in 1837, by the banks having the custody of the public money, showed in so alarming a degree our dependencies on those institutions for the performance of duties required by law, that I then recommended the entire dissolution of that connection. This recommendation has been sub-

jected, as I desired it should be, to severe scrutiny and animated discussion; and I allow myself to believe that, notwithstanding the natural diversities of opinion which may be anticipated on all subjects involving such important considerations, it has secured in its favour as general a concurrence of public sentiment as could be expected on one of such magnitude.

Recent events have also continued to develope new objections to such a connection. Seldom is any bank, under the existing system and practice, able to meet, on demand, all its liabilities for deposits and notes in circulation. It maintains specie payments, and transacts a profitable business, only by the confidence of the public in its solvency; and whenever this is destroyed, the demands of its depositors and note-holders — pressed more rapidly than it can make collections from its debtors—force it to stop payment. This loss of confidence, with its consequences, occurred in 1837, and afforded the apology of the banks for their suspension. The public then acquiesced in the validity of the excuse; and, while the state legislatures did not exact from them their forfeited charters, congress, in accordance with the recommendation of the executive, allowed them time to pay over the public money they held, although compelled to issue treasury notes to supply the deficiency thus created.

It now appears that there are other motives than a want of public confidence under which the banks seek to justify themselves in a refusal to meet their obligations. Scarcely were the country and government relieved, in a degree, from the difficulties occasioned by the general suspension of 1837, when a partial one, occurring within thirty months of the former, produced new and serious embarrassments, though it had no palliation in such circumstances as were alleged in justification of that which had previously taken place. There was nothing in the condition of the country to endanger a well-managed banking institution. Commerce was deranged by no foreign war; every branch of manufacturing industry was crowned with rich rewards; and the more than usual abundance of our harvests, after supplying our domestic wants, had left our granaries and storehouses filled with a surplus for exportation. It is in the midst of this that an irredeemable and depreciated paper currency is entailed upon the people by a large portion of the banks. They are not driven to it by the exhibition of a loss of public confidence, or of a sudden pressure from their depositors or noteholders, but they excuse themselves by alleging that the current of business, and exchange with foreign countries, which draws the precious metals from their vaults, would require, in order to meet it, a larger curtailment of their loans to a comparatively small portion of the community, than it will be convenient for them to bear, or perhaps safe for the banks to exact. The plea has ceased to be one of necessity. Convenience and policy are now deemed sufficient to warrant these institutions in disregarding their solemn obligations. Such conduct is not merely an injury to individual creditors, but it is a wrong to the whole community, from whose liberality they hold most valuable privileges—whose rights they violate, whose business they derange, and the value of whose property they ren-

der unstable and insecure. It must be evident that this new ground for bank suspensions, in reference to which their action is not only disconnected with, but wholly independent of, that of the public, gives a character to their suspensions more alarming than any which they exhibited before, and greatly increases the impropriety of relying on the banks in the transactions of government.

A large and highly respectable portion of our banking institutions are, it affords me unfeigned pleasure to state, exempted from all blame on account of this second delinquency. They have, to their great credit, not only continued to meet their engagements, but have even repudiated the grounds of suspension now resorted to. It is only by such a course that the confidence and good will of the community can be preserved, and, in the sequel, the best interests of the institutions themselves promoted.

New dangers to the banks are also daily disclosed from the extension of that system of extravagant credit of which they are the pillars. Formerly our foreign commerce was principally founded on an exchange of commodities, including the precious metals, and leaving in its transactions but little foreign debt. Such is not now the case. Aided by the facilities afforded by the banks, mere credit has become too commonly the basis of trade. Many of the banks themselves, not content with largely stimulating this system among others, have usurped the business, while they impair the stability of the mercantile community; they have become borrowers instead of lenders; they establish their agencies abroad; they deal largely in stocks and merchandise; they encourage the issue of state securities, until the foreign market is glutted with them; and, unsatisfied with the legitimate use of their own capital, and the exercise of their lawful privileges, they raise by large loans additional means for every variety of speculation. The disasters attendant on this deviation from the former course of business in this country are now shared alike by banks and individuals, to an extent of which there is perhaps no previous example in the annals of our country. So long as a willingness of the foreign lender, and a sufficient export of our productions to meet any necessary partial payments, leave the flow of credit undisturbed, all appears to be prosperous; but as soon as it is checked by any hesitation abroad, or by an inability to make payment there in our productions, the evils of the system are disclosed. The paper currency, which might serve for domestic purposes, is useless to pay the debt due in Europe. Gold and silver are, therefore, drawn in exchange for their own notes, which are as unavailable to them as they are to the merchants to meet the foreign demand. The calls of the banks, therefore, in such emergencies of necessity exceed their demand, and produce a corresponding curtailment of their accommodations and of the currency, at the very moment when the state of trade renders it most inconvenient to be borne. The intensity of this pressure on the community is in proportion to the previous liberality of credit and consequent expansion of the currency; forced sales of property are made at the time when the means of purchasing are most reduced; and the worst calamities to individuals are only

at last arrested by an open violation of their obligations by the banks, a refusal to pay specie for their notes, and an imposition upon the community of a fluctuating and depreciated currency.

These consequences are inherent in the present system. They are not influenced by the banks being large or small, created by national or state governments. They are the results of the irresistible laws of trade and credit. In the recent events which have so strikingly illustrated the certain effects of these laws, we have seen the bank of the largest capital in the union, established under a national charter, and lately strengthened, as we were authoritatively informed, by exchanging that for a state charter, with new and unusual privileges—in a condition, too, as it was said, of entire soundness and great prosperity—not merely unable to resist these effects, but the first to yield to them.

Nor is it to be overlooked that there exists a chain of necessary dependence among these institutions which obliges them, to a great extent, to follow the course of others, notwithstanding its injustice to their own immediate creditors, or injury to the particular community in which they are placed. This dependence of a bank, which is in proportion to the extent of its debts for circulation and deposits, is not merely on others in its own vicinity, but on all those which connect it with the centre of trade. Distant banks may fail, without seriously affecting those in our principal commercial cities; but the failure of the latter is felt at the extremities of the union. The suspension at New York in 1837 was everywhere, with very few exceptions, followed as soon as it was known; that recently at Philadelphia immediately affected the banks of the south and west in a similar manner.

The dependence of our whole banking system on the institutions in a few large cities is not found in the laws of their organisation, but in those of trade and exchange. The banks at that centre to which currency flows, and where it is required in payments for merchandise, hold the power of controlling those in regions whence it comes, while the latter possess no means of restraining them; so that the value of individual property, and the prosperity of trade, through the whole interior of the country, are made to depend on the good or bad management of the banking institutions in the great seats of trade on the seaboard.

But this chain of dependence does not stop here. It does not terminate in Philadelphia or New York. It reaches across the ocean, and ends in London, the centre of the credit system. The same laws of trade which gave to the banks in our principal cities power over the whole banking system of the United States subject the former, in their turn, to the money power in Great Britain. It is not denied that the suspension of the New York banks in 1837, which was followed, in quick succession, throughout the union, was produced by an application of that power; and it is now alleged, in extenuation of the present condition of so large a portion of our banks, that their embarrassments have arisen from the same cause.

From this influence they cannot now entirely escape, for it has its origin in the credit currencies of the two countries; it is strength-

ened by the current of trade and exchange, which centres in London, and is rendered almost irresistible by the large debts contracted there by our merchants, our banks, and our states. It is thus that an introduction of a new bank into the most distant of our villages places the business of that village within the influence of the money power in England. It is thus that every new debt which we contract in that country seriously affects our own currency, and extends over the pursuits of our citizens its powerful influence. We cannot escape from this by making new banks, great or small, state or national. The same chain which binds those now existing to the centre of this system of paper credit must equally fetter every similar institution we create. It is only by the extent to which this system has been pushed of late that we have been made fully aware of its irresistible tendency to subject our own banks and currency to a vast controlling power in a foreign land; and it adds a new argument to those which illustrate their precarious situation. Endangered in the first place by their own mismanagement, and again by the conduct of every institution which connects them with the centre of trade in our own country, they are yet subject beyond all this to the effect of whatever measures policy, necessity, or caprice may induce those who control the credit of England to resort to. I mean not to comment upon these measures, present or past, and much less to discourage the prosecution of fair commercial dealing between the two countries, based on reciprocal benefits; but it having now been made manifest that the power of inflicting these and similar injuries is, by the resistless law of a credit currency and credit trade, equally capable of extending their consequences through all the ramifications of our banking system, and by that means indirectly obtaining, particularly when our banks are used as depositories of the public moneys, a dangerous political influence in the United States, I have deemed it my duty to bring the subject to your notice, and ask for it your serious consideration.

Is an argument required beyond the exposition of these facts to show the impropriety of using our banking institutions as depositories of the public money? Can we venture not only to encounter the risk of their individual and mutual mismanagement, but, at the same time, to place our foreign and domestic policy entirely under the control of a foreign moneyed interest? To do so is to impair the independence of our government, as the present credit system has already impaired the independence of our banks. It is to submit all its important operations, whether of peace or war, to be controlled or thwarted at first by our own banks, and then by a power abroad greater than themselves. I cannot bring myself to depict the humiliation to which this government and people might be sooner or later reduced if the means for defending their rights are to be made dependent upon those who may have the most powerful of motives to impair them.

Nor is it only in reference to the effect of this state of things on the independence of our government, or of our banks, that the subject presents itself for consideration: it is to be viewed also in

its relations to the general trade of our country. The time is not long past when a deficiency of foreign crops was thought to afford a profitable market for the surplus of our industry; but now we await, with feverish anxiety, the news of the English harvest, not so much from motives of commendable sympathy, but fearful lest its anticipated failure should narrow the field of credit there. Does not this speak volumes to the patriot? Can a system be beneficent, wise, or just, which creates greater anxiety for interests dependent on foreign credit than for the general prosperity of our own country, and the profitable exportation of the surplus produce of our labour?

The circumstances to which I have thus adverted appear to me to afford weighty reasons, developed by late events, to be added to those which I have on former occasions offered, when submitting to your better knowledge and discernment the propriety of separating the custody of the public money from banking institutions, nor has any thing occurred to lessen, in my opinion, the force of what has been heretofore urged. The only ground on which that custody can be desired by the banks is the profitable use which they may make of the money. Such use would be regarded in individuals as a breach of trust, or a crime of great magnitude, and yet it may be reasonably doubted whether, first and last, it is not attended with more mischievous consequences when permitted to the former than to the latter. The practice of permitting the public money to be used by its keepers, as here, is believed to be peculiar to this country, and to exist scarcely any where else. To procure it here improper influences are appealed to; unwise connections are established between the government and vast numbers of powerful state institutions; other motives than the public good are brought to bear both on the executive and the legislative departments, and selfish combinations, leading to special legislation, are formed. It is made the interest of banking institutions and their stockholders throughout the union, to use their exertions for the increase of taxation and the accumulation of a surplus revenue; and, while an excuse is afforded, the means are furnished for those excessive issues which lead to extravagant trading and speculation, and are the forerunners of a vast debt abroad, and a suspension of the banks at home.

Impressed, therefore, as I am, with the propriety of the funds of the government being withdrawn from the private use of either banks or individuals, and the public money kept by duly-appointed public agents, and believing, as I do, that such also is the judgment which discussion, reflection, and experience have produced on the public mind, I leave the subject with you. It is, at all events, essential to the interests of the community and the business of the government that a decision should be made.

Most of the arguments that dissuade us from employing banks in the custody and disbursement of the public money apply with equal force to the receipt of their notes for public dues. The difference is only in form. In one instance the government is a creditor for its deposits, and in the other for the notes it holds. They afford the same opportunity for using the public moneys, and equally lead to

all the evils dependent upon it, since a bank can as easily extend its discounts on a deposit of its notes in the hands of an officer as on one made in its own vaults. On the other hand it would give to the government no greater security, for, in case of failure, the claim of the noteholder would be no better than that of a depositor.

I am aware that the danger of inconvenience to the public and unreasonable pressure upon sound banks have been urged as objections to requiring the payment of the revenue in gold and silver. These objections have been greatly exaggerated. From the best estimates we may safely fix the amount of specie in the country at eighty-five millions of dollars, and the portion of that which would be employed at any one time in the receipts and disbursements of the government, even if the proposed change were made at once, would not, it is now, after fuller investigation, believed exceed four or five millions. If the change were gradual, several years would elapse before that sum would be required, with annual opportunities in the meantime to alter the law, should experience prove it to be oppressive or inconvenient. The portions of the community on whose business the change would immediately operate are comparatively small, nor is it believed that its effect would be in the least unjust or injurious to them.

In the payment of duties, which constitute by far the greater portion of the revenue, a very large proportion is derived from foreign commission houses and agents of foreign manufacturers, who sell the goods consigned to them generally at auction, and, after paying the duties out of the avails, remit the rest abroad in specie or its equivalent. That the amount of duties should, in such cases, be also retained in specie, can hardly be made a matter of complaint. Our own importing merchants, by whom the residue of the duties is paid, are not only peculiarly interested in maintaining a sound currency, which the measure in question will especially promote, but are, from the nature of their dealings, best able to know when specie will be needed, and to procure it with the least difficulty or sacrifice. Residing, too, almost universally in places where the revenue is received, and where the drafts used by the government for its disbursements must concentrate, they have every opportunity to obtain and use them in place of specie, should it be for their interest or convenience. Of the number of these drafts and the facilities they may afford, as well as of the rapidity with which the public funds are drawn and disbursed, an idea may be formed from the fact that, of nearly twenty millions of dollars paid to collectors and receivers during the present year, the average amount in their hands at any one time has not exceeded a million and a half; and of the fifteen millions received by the collector of New York alone during the present year, the average amount held by him, subject to draft during each week, has been less than half a million.

The ease and safety of the operations of the treasury in keeping the public money are promoted by the application of its own drafts to the public dues. The objection arising from having them too long outstanding might be obviated, and yet made to afford to merchants and banks holding them an equi-

valent for specie, and in that way greatly lessen the amount actually required. Still less inconvenience will attend the requirement of specie in purchases of public lands. Such purchases, except when made on speculations, are in general but single transactions, rarely repeated by the same person; and it is a fact, that for the last year and a half, during which the notes of sound banks have been received, more than a moiety of these payments has been voluntarily made in specie, being a larger proportion than would have been required in three years under the graduation proposed.

It is moreover a principle, than which none is better settled by experience, that the supply of the precious metals will always be found adequate to the uses for which they are required. They abound in countries where no other currency is allowed. In our own states, where small notes are excluded, gold and silver supply their place. When driven to their hiding-places by bank suspensions, a little firmness in the community soon restores them in a sufficient quantity for ordinary purposes. Postages and other public dues have been collected in coin, without serious inconvenience, even in states where a depreciated paper currency has existed for years, and this, with the aid of treasury notes for a part of the time, was done without interruption during the suspension of 1837. At the present moment the receipts and disbursements of the government are made in legal currency in the largest portion of the union—no one suggests a departure from this rule, and if it can now be successfully carried out, it will be surely attended with even less difficulty when bank notes are again redeemed in specie.

Indeed, I cannot think that a serious objection would anywhere be raised to the new receipt and payment of gold and silver in all public transactions were it not from an apprehension that a surplus in the treasury might withdraw a large portion of it from circulation, and lock it up unprofitably in the public vaults. It would not, in my opinion, be difficult to prevent such an inconvenience from occurring; but the authentic statements which I have already submitted to you in regard to the actual amount in the public treasury at any one time during the period embraced in them, and the little probability of a different state of the treasury for at least some years to come, seem to render it unnecessary to dwell upon it. Congress, moreover, as I have before observed, will in every year have an opportunity to guard against it, should the occurrence of any circumstances lead us to apprehend injury from this source. Viewing the subject in all its aspects, I cannot believe that any period will be more auspicious than the present for the adoption of all measures necessary to maintain the sanctity of our own engagements, and to aid in securing to the community that abundant supply of the precious metals which adds so much to their prosperity, and gives such increased stability to all their dealings.

In a country so commercial as ours, banks in some form will probably always exist; but this serves only to make it the more incumbent on us, notwithstanding the discouragements of the past, to strive in our respective stations to mitigate the evils they produce;

to take from them as rapidly as the obligations of public faith and a careful consideration of the immediate interests of the community will permit, the unjust character of monopolies; to check so far as may be practicable by prudent legislation those temptations of interest, and those opportunities for their dangerous indulgence, which beset them on every side; and to confine them strictly to the performance of their paramount duty, that of aiding the operations of commerce, rather than consulting their own exclusive advantage. These and other salutary reforms may, it is believed, be accomplished without the violation of any of the great principles of the social compact, the observance of which is indispensable to its existence, or interfering in any way with the useful and profitable employment of real capital.

Institutions so framed have existed, and still exist, elsewhere, giving to commercial intercourse all necessary facilities, without inflating or depreciating the currency or stimulating speculation. Thus accomplishing their legitimate ends, they have gained the surest guarantee for their protection and encouragement in the good will of the community. Among a people so just as ours, the same results could not fail to attend a similar course. The direct supervision of the banks belong, from the nature of our government, to the states who authorise them. It is to their legislatures that the people must mainly look for action on that subject. But as the conduct of the federal government, in the management of its revenue, has also a powerful though less immediate influence upon them, it becomes our duty to see that a proper direction is given to it. While the keeping of the public revenue in a separate and independent treasury, and of collecting it in gold and silver, will have a salutary influence on the system of paper credit, with which all banks are connected, and thus aid those that are sound and well managed, it will at the same time sensibly check such as are otherwise, by at once withholding the means of extravagance afforded by the public funds, and restraining them from excessive issues of notes which they would be constantly called upon to redeem.

I am aware it has been urged that this control may be best attained and exerted by means of a national bank. The constitutional objections which I am well known to entertain would prevent me in any event from proposing or assenting to that remedy; but, in addition to this, I cannot, after past experience, bring myself to think that it can any longer be extensively regarded as effective for such a purpose. The history of the late national bank, through all its mutations, shows that it was not so. On the contrary, it may, after a careful consideration of the subject, be, I think, stated, that at every period of banking excess it took the lead; that in 1817 and 1818, in 1823, in 1831, and in 1834, its vast expansions, followed by distressing contractions, led to those of the state institutions. It swelled and maddened the tides of the banking system, but seldom allayed or safely directed them. At a few periods only was a salutary control exercised, but an eager desire, on the contrary, exhibited for profit in the first place; and if afterwards its measures were severe towards other institutions, it

was because its own safety compelled it to adopt them. It did not differ from them in principle or in form; its measures emanated from the same spirit of gain; it felt the same temptation to overissue; it suffered from, and was totally unable to avert, those inevitable laws of trade by which it was itself affected equally with them; and at least on one occasion, at an early day, it was saved only by extraordinary exertions from the same fate that attended the weakest institution it professed to supervise. In 1837 it failed, equally with others, in redeeming its notes, though the two years allowed by its charter for that purpose had not expired, a large amount of which remains to the present time outstanding.

It is true that, having so vast a capital, and strengthened by the use of all the revenues of the government, it possessed more power; but while it was itself, by that circumstance, freed from the control which all banks require, its paramount object and inducement were left the same—to make the most for its stockholders, not to regulate the currency of the country. Nor has it, as far as we are advised, been found greatly otherwise elsewhere. The national character given to the Bank of England has not prevented excessive fluctuations in their currency, and it proved unable to keep off a suspension of specie payments, which lasted near a quarter of a century. And why should we expect it to be otherwise? A national institution, though deriving its charter from a different source than the state banks, is yet constituted upon the same principles; is conducted by men equally exposed to temptation; and is liable to the same disasters; with the additional disadvantage that its magnitude occasions an extent of confusion and distress which the mismanagement of smaller institutions could not produce. It can scarcely be doubted that the recent suspension of the United States' Bank of Pennsylvania—of which the effects are felt, not in that state alone, but over half the union—had its origin in a course of business commenced while it was a national institution; and there is no good reason for supposing that the same consequences would not have followed had it still derived its powers from the general government.

It is in vain, when the influences and impulses are the same, to look for a difference in conduct or results. By such creations we do, therefore, but increase the mass of paper credit and paper currency, without checking their attendant evils and fluctuations. The extent of power and the efficiency of organization which we give, so far from being beneficial, are in practice positively injurious. They strengthen the chain of dependence throughout the union, subject all parts more certainly to common disaster, and bind every bank more effectually in the first instance to those of our commercial cities, and in the end to a foreign power. In a word, I cannot but believe, that with the full understanding of the operations of our banking system which experience has produced, public sentiment is not less opposed to the creation of a national bank for purposes connected with currency and commerce than for those connected with the fiscal operations of the government.

Yet the commerce and currency of the country are suffering evils from the operations of the state

banks, which cannot and ought not to be overlooked. By their means we have flooded with a depreciated paper, which it was evidently the design of the framers of the constitution to prevent, when they required Congress to "coin money and regulate the value of foreign coins," and when they forbade the states "to coin money, emit bills of credit, make anything but gold and silver a tender in payment of debt, or pass any law impairing the obligation of contracts."

If they did not guard more explicitly against the present state of things, it was because they could not have anticipated that the few banks then existing were to swell to an extent which would expel to so great a degree the gold and silver, for which they had provided from the channels of circulation, and fill them with a currency that defeats the object they had in view. No good that might accrue in a particular case from the exercise of powers not obviously conferred on the general government would authorise its interference, or justify a course that might in the slightest degree increase, at the expense of the states, the power of the federal authorities; nor do I doubt that the states will apply the remedy. Within the last few years, events have appeared to them too strongly to be disregarded. They have seen that the constitution, though theoretically adhered to, is subverted in practice; that while on the statute books there is no legal tender but gold and silver, no law impairing the obligations of contracts, yet that, in point of fact, the privileges conferred on banking corporations have made their notes the currency of the country; that the obligations imposed by these notes are violated under the impulse of interest or convenience; and that the number and power of the persons connected with these operations, or placed under their influence, give them a fearful weight when their interest is in opposition to the spirit of the constitution and laws.

To the people it is immaterial whether these results are produced by open violations of the latter, or by the workings of a system of which the result is the same. An inflexible execution even of the existing statutes of most of the states would redress many evils now endured; would effectually show to the banks the dangers of mismanagement which impunity encourages them to repeat; and would teach all corporations the useful lesson that they are the subjects of the law and the servants of the people. What is still wanting to effect these objects, must be sought in additional legislation; or, if that be inadequate, in such further constitutional grants or restrictions as may bring us back into the path from which we have so widely wandered.

In the meantime, it is the duty of the general government to cooperate with the states, by a wise exercise of its constitutional powers, and the enforcement of its existing laws. The extent to which it may do so by further enactments I have already adverted to, and the wisdom of Congress may yet enlarge them. But, above all, it is incumbent upon us to hold erect the principles of morality and law, constantly executing our own contracts in accordance with the provisions of the constitution, and thus serving as a rallying point by which our whole country may be brought back to that safe and honoured standard.

Our people will not long be insensible to the extent of the burthens entailed upon them by the false system that has been operating on their sanguine, energetic, and industrious character; nor to the means necessary to extricate themselves from these embarrassments. The weight which presses upon a large portion of the people and the states is an enormous debt, foreign and domestic. The foreign debt of our states, corporations, and men of business can scarcely be less than two hundred millions of dollars, requiring more than ten millions of dollars a year to pay the interests. This sum has to be paid out of the exports of the country, and must of necessity cut off imports to that extent, or plunge the country more deeply in debt from year to year. It is easy to see that the increase of this foreign debt must augment the annual demand on the exports to pay the interest, and to the same extent diminish the imports; and in proportion to the enlargement of the foreign debt, and the consequent increase of interest, must be the decrease of the import trade. In lieu of the comforts which it now brings us, we might have our gigantic banking institutions, and splendid, but in many instances, profitless, railroads and canals, absorbing, to a great extent, in interest upon the capital borrowed to construct them, the surplus fruits of national industry for years to come, and securing to posterity no adequate return for the comforts which the labours of their hands might otherwise have secured. It is not by the increase of this debt that relief is to be sought, but in its diminution.

Upon this point there is, I am happy to say, hope before us; not so much in the return of confidence abroad, which will enable the states to borrow more money, as in a change of public feeling at home, which prompts our people to pause in their career, and think of the means by which debts are to be paid before they are contracted. If we would escape embarrassment, private and public, we must cease to run in debt, except for objects of necessity, or such as will yield a certain return. Let the faith of the states, corporations, and individuals, already pledged, be kept with the most punctilious regard. It is due to our national character, as well as to justice, that this should on the part of each be a fixed principle of conduct. But it behoves us all to be more chary in pledging it. By ceasing to run in debt, and applying the surplus of our crops and incomes to the discharge of existing obligations, buying less and selling more, and managing all affairs, public and private, with strict economy and frugality, we shall see our country soon recover from a temporary depression, arising, not from natural and permanent causes, but from those I have enumerated, and advance with renewed vigour in her career of prosperity.

Fortunately for us at this moment, when the balance of trade is greatly against us, and the difficulty of meeting it enhanced by the disturbed state of our money affairs, —the bounties of providence have come to relieve us from the consequences of past errors. A faithful application of the results of the labours of the last season will afford partial relief for the present, and perseverance in the same course will, in due season, accomplish the rest. We have had full experience in times past of the ex-

traordinary results which can, in this respect, be brought about in a short period by the united and well-directed efforts of a community like ours. Our surplus profits, the energy and industry of our population, and the wonderful advantage which providence has bestowed upon our country, in its climate, its various productions, indispensable to other nations, will, in due time, afford abundant means to perfect the most useful of those objects, for which the states have been plunging themselves of late in embarrassment and debt, without imposing on ourselves or our children such fearful burthens.

But let it be indelibly engraved on our minds that relief is not to be found in expedients. Indebtedness cannot be lessened by borrowing more money, or by changing the form of the debt. The balance of trade is not to be turned in our favour by creating new demands upon us abroad. Our currency cannot be improved by the creation of new banks, or more issues from those which now exist. Although these devices sometimes appear to give temporary relief they almost invariably aggravate the evil in the end. It is only by retrenchment and reform, by curtailing public and private expenditures, by paying our debts, and by reforming our banking system, that we are to expect effectual relief, security for the future, and an enduring prosperity. In shaping the institutions and policy of the general government, so as to promote, as far as it can with its limited powers, these important ends, you may rely on most cordial co-operation.

That there should have been, in the progress of recent events, doubts in many quarters, and in some a heated opposition to every change, cannot surprise us. Doubts are properly attendant on all reform; and it is peculiarly in the nature of such abuses as we are now encountering to seek to perpetuate their power by means of the influence they have been permitted to acquire. It is their result, if not their object, to gain for the few an ascendancy over the many, by securing to them a monopoly of the currency, the medium through which most of the wants of mankind are supplied—to produce throughout society a chain of dependence which leads all classes to look to privileged associations for the means of speculation and extravagance—to nourish, in preference to the manly virtues that give dignity to human nature, a craving desire for luxurious enjoyment and sudden wealth, which renders those who seek them dependent on those who supply them—to substitute for republican simplicity and economical habits a sickly appetite for effeminate indulgence, and an inanition of that reckless extravagance which impoverished and enslaved the industrious people of foreign lands; and, at last, to fix upon us, instead of those equal political rights, the acquisition of which was alike the object and supposed reward of our revolutionary struggle, a system of exclusive privileges conferred by partial legislation.

To remove the influences which had thus gradually grown up among us—to deprive them of their deceptive advantages—to test them by the light of wisdom and truth—to oppose the force which they concentrate in their support—all this was necessarily the work of time, even among a people so enlightened and pure as that of the United States. In most

other countries, perhaps, it could only be accomplished through that series of revolutionary movements which are too often found necessary to effect any great and radical reform; but it is the crowning merit of our institutions that they create and nourish in the vast majority of our people a disposition and a power peaceably to remedy abuses which have elsewhere caused the effusion of rivers of blood, and the sacrifice of thousands of the human race.

The result thus far is most honourable to the self-denial, the intelligence, and the patriotism of our citizens. It justifies the confident hope that they will carry through the reform they have so well begun; that they will go still further than they have yet gone in illustrating the important truth, that a people as free and enlightened as ours will, whenever it becomes necessary, show themselves to be indeed capable of self-government, by voluntarily adopting appropriate remedies for every abuse, and submitting to temporary sacrifice, however great, to ensure their permanent welfare.

My own exertions for the furtherance of these desirable objects have been bestowed throughout my official career with a zeal that is nourished by ardent wishes or the welfare of my country, and by an unlimited reliance on the wisdom that marks its ultimate decision on all great and controverted questions. Impressed with the solemn obligations imposed upon me by the constitution desirous also of laying before my fellow citizens, with whose confidence and support I have been so highly honoured, such measures as appear to me conducive to their prosperity—and anxious to submit to their fullest consideration the grounds upon which my opinions are formed, I have on this, as on preceding occasions, freely offered my views on those points of domestic policy that seem, at the present time, most prominently to require the action of the government. I know that they will receive from Congress that full and able consideration which the importance of the subject merits, and I can repeat the assurance heretofore made, that I shall cheerfully and readily cooperate with you in every measure that will tend to promote the welfare of the union.

M. Van Buren.

Maine Boundary Difficulties.

The President transmitted to the Senate a message communicating two notes which had passed since the date of his last message between the British Minister and the Secretary of State in relation to the Maine Boundary difficulties.

Mr. Fox to Mr. Forsyth.

Washington, Jan. 26.

The undersigned, her Britannic majesty's envoy extraordinary and minister plenipotentiary, has the honour to acquaint Mr. Forsyth, secretary of state of the United States, that since the date of his last official note, of the 12th instant, he has been furnished by her majesty's authorities in North America with more correct infor-

mation than he then possessed respecting certain reported movements of British troops within the disputed territory, which formed the subject of a part of that official note, as well as of the two official notes addressed by the secretary of state to the undersigned on the 24th of December, and on the 16th of the present month. The same reported movements of troops were referred to in a recent message from the governor of Maine to the legislature of the state, and also in a published official letter addressed by the governor of Maine to the president of the United States on the 22d of December.

It appears from the accurate information now in the possession of the undersigned, that the governor of Maine, and through him, the president and general government of the United States, have been misinformed as to the facts. In the first place, no reinforcement has been marched to the British post at the Lake Temiscouata; the only change occurring there has been the relief of a detachment of her majesty's 24th regiment by a detachment of equal force of the 11th regiment, this force of one company being now stationed at the Temiscouata post, as it always has been, for the necessary purpose of protecting the stores and accommodations provided for the use of her majesty's troops, who may be required, as heretofore, to march by that route to and from the provinces of Canada and New Brunswick. In the second place, it is not true that the British authorities either have built, or are building, barracks on both sides of the St. John's river, or at the mouth of the Madawaska river; no new barracks have in fact been built anywhere. In the third place, her majesty's authorities are not concentrating a military force at the Grand Falls. The same trifling force of sixteen men is now stationed at the post of the Grand Falls, which has been stationed there for the last twelvemonth. It was perhaps, however, needless for the undersigned to advert to this last matter at all, as the post of the Grand Falls is beyond the bounds of the disputed territory, and within the acknowledged limits of New Brunswick.

The undersigned, while conveying the above information upon a matter of fact to the secretary of state of the United States, takes occasion to repeat distinctly his former declaration that there exists no intention on the part of her majesty's authorities to infringe the terms of those provisional agreements which were entered into at the beginning of last year, so long as there is reason to trust that the same will be faithfully adhered to by the opposite party. But it is the duty of the undersigned, at the same time, to clearly state that her majesty's authorities in North America, taking into view the attitude assumed by the state of Maine with reference to the boundary question, will, as at present advised, be governed entirely by circumstances in adopting such measures of defence and protection (whether along the confines of the disputed territory, or within that portion of it where it has been before explained the authority of Great Britain, according to the existing agreements, was not to be interfered with) as may seem to them necessary for guarding against, or for promptly repelling, the further acts of hostile aggression over the whole of the disputed territory, which it

appears to be the avowed design of the state of Maine sooner or later to attempt.

For the undersigned has to observe, that not only is the extensive system of encroachment, which was denounced and remonstrated against by the undersigned in his official note of the 2d of last November, carried on and persisted in by armed bands, employed by the authorities of Maine in the districts above the Aroostook and Fish rivers, but that acts, as above stated, of a character yet more violent and obnoxious to the rights of Great Britain, and more dangerous to the preservation of the general peace, are with certainty meditated by the inhabitants of that state. The existence of such designs has for months past been a matter of notoriety by public report; those designs were plainly indicated in the recent message of the governor of Maine to the legislature of the state; and they are avowed in more explicit terms in the letter addressed to the president of the United States by the governor of Maine on the 21st of November, which letter has, within the last few days, been communicated to congress, and published.

The undersigned, it is true, has been assured by the secretary of state, in his note of the 16th instant, that the general government see no reason to doubt the disposition of the governor of Maine to adhere to the existing arrangements, and to avoid all acts tending to render more difficult and distant the final adjustment of the boundary question. But in face of the above clear indications of the intentions of Maine, as given out by the parties themselves, the secretary of state has not given to the undersigned any adequate assurance that Maine will be constrained to desist from carrying those intentions into effect, if, contrary to the expectation of the general government, the legislature or the executive of the state should think fit to make the attempt.

The undersigned not only preserves the hope, but he entertains the firm belief, that if the duty of negotiating the boundary question be left in the hands of the two national governments, to whom alone of right it belongs, the difficulty of conducting the negotiation to an amicable issue will not be found so great as has been by many persons apprehended. But the case will become wholly altered if the people of the state of Maine, who, though interested in the result, are not charged with the negotiation, shall attempt to interrupt it by violence.

Her majesty's authorities in North America have on their part no desire or intention to interfere with the course of the pending negotiation by an exertion of military force; but they will, as at present advised, consult their own discretion in adopting measures of defence that may be rendered necessary by the threats of a violent interruption to the negotiation which have been used by all parties in Maine, and which the undersigned regrets to find confirmed by the language (as above referred to) employed by the highest official authority in that state.

The undersigned avails himself of this occasion to renew to the secretary of state of the United States the assurance of his distinguished consideration.

H. S. Fox.

The hon. J. Forsyth, &c.

MR. FORSYTH TO MR. FOX.

Department of State, Washington, Jan. 28, 1840.

The undersigned, secretary of state of the United States, has the honour to reply, by direction of the president, to the note addressed to him on the 26th inst. by Mr. Fox, envoy extraordinary and minister plenipotentiary of Great Britain.

"The president derives great satisfaction from the information conveyed by Mr. Fox's note, that with reference to the reported movements of British troops within the territory in dispute, no actual change has taken place in the attitude of her majesty's authorities in the territory since the arrangements entered into by the two governments at the commencement of last year for the preservation of tranquillity within its limits, and from his assurances that there exists no intention on the part of her majesty's authorities to infringe the terms of those arrangements, so long as they are faithfully observed on the side of the United States. The president, however, cannot repress a feeling of regret that the British colonial authorities, without graver motives than the possibility of a departure from the arrangements by the state of Maine, should take upon themselves the discretion, and along with it the fearful responsibility of probable consequences, of being guided by circumstances, liable as these are to be misapprehended and misjudged in the adoption within the disputed territory of measures of defence and precaution, in manifest violation of the understanding between the two countries, whenever they may imagine that acts of hostile aggression over the disputed territory are meditated or threatened on the part of the state of Maine. The president cannot but hope that, when her majesty's government at home shall be apprised of the position assumed in this regard by its colonial agents, proper steps will be taken to place the performance of express and solemn agreements upon a more secure basis than colonial discretion, to be exercised on apprehended disregard of such agreements on the part of the state of Maine.

It is gratifying to the president to perceive that Mr. Fox entertains the firm belief that the difficulty of conducting to an amicable issue the pending negotiation for the adjustment of the question of boundary is not so great as has by many persons been apprehended. As, under a corresponding conviction, the United States have, with a view to the final settlement of that exciting question, submitted a proposition for the consideration of her majesty's government, the president hopes that sentiments expressed by Mr. Fox have their foundation in an expectation of his having it in his power at an early day to communicate to this government a result of the deliberations had by that of her Britannic majesty upon the proposition alluded to, which will present the prospect of a prompt and satisfactory settlement, and which, when known to the state of Maine, will put an end to all grounds of apprehensions of intentions or disposition on her part to adopt any measures calculated to embarrass the negotiation, or to involve a departure from the provisional arrangements. In the existence of those arrangements the United States behold an earnest of the mutual desire of the two governments to divest a question abound-

ing in causes of deep and growing excitement of as much as possible of the asperity and hostile feeling it is calculated to engender; but, unless attended with the most scrupulous observance of the spirit and letter of their provisions, it would prove but one more cause, added to the many already prevailing, of enmity and discord.

Mr. Fox has already been made the channel of conveyance to his government of the desire and determination of the president that the obligations of the country shall be faithfully discharged; that desire is prompted by a sense of expediency as well as of justice, and by an anxious wish to preserve the amicable relations now, so manifestly for the advantage of both, subsisting between the United States and Great Britain.

The undersigned avails himself of the occasion to renew to Mr. Fox assurances of his distinguished consideration.

JOHN FORSYTH.

Henry S. Fox, Esq. &c.

NORTH AMERICAN BOUNDARY

Extracts from Correspondence relating to the Boundary between the British Possessions in North America and the United States of America, under the Treaty of 1783. *Presented to both Houses of Parliament by command of Her Majesty, July,* 1840.

VISCOUNT PALMERSTON TO MR. FOX.

Foreign-office, June 3, 1840.

I send you herewith three copies of the report and map presented to her majesty's government by colonel Mudge and Mr. Featherstonhaugh, the commissioners who were employed last year to survey the disputed territory.

You will immediately transmit to Mr. Forsyth two copies of the report and of the map, saying, that it is only within the last few days that these documents have been in the hands of her majesty's government; that it will of course be the duty of her majesty's government to lay this report before parliament, but that her majesty's government wish, as a mark of courtesy and respect towards the government of the United States, that a document bearing upon a question of much interest and importance to the two countries should, in the first place, be communicated to the president. You will further state, that the British government continues to feel an unabated desire to bring the long-pending questions about the boundary between the United States and the British possessions in North America to a final and satisfactory settlement.

It is obvious that these questions must be beset with various and considerable inherent difficulties, or they would not have remained open ever since the year 1783, notwithstanding the many and earnest endeavours made by both governments to bring them to an adjustment.

But her majesty's government do not abandon the hope that the sincere desire felt by both parties

to arrive at an amicable arrangement will at length be crowned with success.

The best clue to guide the two governments in their future proceedings may perhaps be derived from an examination of the causes of past failure; and the most prominent among these causes has certainly been a want of correct information as to the topographical features and physical character of the district in dispute. This want of adequate information may be traced as one of the difficulties which embarrassed the Netherlands government in its endeavours to decide the points submitted to it in 1830.

It has been felt by the British government, by the United States government, and even by the government of the contiguous state of Maine.

The British government and the government of the United States agreed, therefore, two years ago, that a survey of the disputed territory, by a joint commission, would be the measure best calculated to elucidate and solve the question at issue.

The president accordingly proposed such a commission, and the British government consented to it; and it was believed by the British government that the general principles upon which the commission was to be guided in its local operations had been settled by mutual agreement, arrived at by means of a correspondence which took place between the two governments in 1837 and 1838.

The British government accordingly transmitted in April of last year, for the consideration of the president, the draught of a convention to regulate the proceedings of the proposed commission.

The preamble of that draught recited textually the agreement which had been come to, by means of notes which had been exchanged between the two governments; and the articles of the draught were framed, as her majesty's government considered, in strict conformity with that agreement.

But the government of the United States did not think proper to assent to the convention so proposed.

That government did not, indeed, allege that the proposed convention was at variance with the result of the previous correspondence between the two governments; but it thought that convention would establish a joint commission "of mere exploration and survey," and the president was of opinion that the step next to be taken by the two governments ought to bear upon its face stipulations which must necessarily lead to a final settlement under some form or other, and within a reasonable time. The United States government accordingly sent to you, for transmission to her majesty's government, a counter draught of convention varying considerably, as Mr. Forsyth admitted, in some parts from the draught as proposed by her majesty's government. But Mr. Forsyth added, that the United States government did not deem it necessary to comment upon the alterations so made, as the text of the counter-draught will be found sufficiently perspicuous.

Her majesty's government certainly might have expected that some reasons would have been given, to explain why the United States government declined to confirm an arrangement which was founded on propositions made by

that government itself, and upon modifications to which that government had agreed; or that, if the American government thought that the draught of convention thus proposed to it was not in conformity with the previous agreement, it would have pointed out in what respect the two differed.

Her majesty's government, however, in the present state of this question, concur with the government of the United States in thinking that it is on every account expedient that the next measure to be taken by the two governments should contain, in its details, arrangements which should necessarily lead to some final settlement; but they think that the convention which they proposed last year to the president, instead of being framed so as to constitute a mere commission of exploration and survey, did, on the contrary, contain stipulations calculated to lead to the final ascertainment of the boundary which is to be determined.

There was, however, undoubtedly an essential difference between the British draught and the American counter-draught. The British draught contained no provision embodying the principle of arbitration. The American counter-draught did contain such a provision.

The British draught contained no provision for arbitration, because the principle of arbitration had not been proposed on either side during the negotiations upon which that draught was founded, and because, moreover, it was understood at that time that the principle of arbitration would be decidedly objected to by the United States.

But, as the United States' government have expressed a wish to embody that principle in the proposed convention, the British government is perfectly willing to accede to that wish. You are, therefore, instructed to state to Mr. Forsyth that her majesty's government consent to the two principles which form the main foundation of the American counter-draught:—namely, first, that the commission to be appointed should be so constituted as necessarily to lead to a final settlement of the questions at issue between the two countries: and, secondly, that in order to secure such a result, the convention by which the commission is to be created should contain a provision for arbitration upon points as to which the British and American commissioners may not be able to agree.

You will, at the same time, say, that there are some matters of detail in the American counter-draught which her majesty's government could not adopt, but that you will, by a very early opportunity, receive an amended draught to be submitted to the consideration of the president; and that you will, at the same time, be instructed to propose to the president a local and temporary arrangement, for the purpose of preventing collisions within the limits of the disputed territory.

The following are some extracts:—

REPORT.

Foreign-office April 16, 1840.

My lord,—In obedience to your lordship's instructions; dated July 9, 1839, requiring us to proceed to her majesty's province of New Brunswick, for the purpose of making investigations respecting the "nature and configuration

of the territory in dispute" between her majesty's government and the government of the United States of America, and to "report" which of the three following lines presents the best defined continuity of highland range:—

1. The line claimed by the British commissioners from the source of the Chaudière to Mars' Hill.

2. The line from the source of the Chaudière to the point at which a line drawn from that source to the western extremity of the Bay of Chaleurs, intercepts the due north line.

3. The line claimed by the Americans from the source of the Chaudière to the point at which they make the due north line end.

We have the honour to present the following report of our proceedings, and of the results which we have arrived at, &c:—

We have to ask your lordships' attention to the fact, that upon reaching the scene of our operations, we learned that they were to be carried on in a wilderness, where not a human being was to be met with, with the exception of a few settlers upon the Roostuc river, about forty miles west of the St. John's river, and of a few wandering Indians employed in the chase, or occasionally of some American lumberers; and that our endeavours to procure from any quarter correct topographical information of the interior of the disputed territory were unavailing, the most superficial and contradictory opinions being entertained upon the frontiers as to the sources of the streams, and as to the direction in which it would be most advisable to push our investigations, with a due regard to that economy of time which we were compelled to observe. This wilderness, thus situate, had never, we believe, been crossed in the direction it was necessary for us to take by persons capable of describing the country with anything approaching to accuracy, and consequently all the maps which we had seen proved in the end remarkably defective. Indeed, had we not been so fortunate as to engage in our service two intelligent Indians, who had become somewhat familiar with the country, by having frequently made it the scene of their hunting grounds, and whose rude maps, traced upon sheets of the bark of the birch tree, served often to guide us, a great portion of our time might have been lost in cutting our communications through forests and almost impenetrable swamps, upon injudicious courses, for the purpose of transporting our provisions, instruments, and canoes. Thus engaged, we had not only to keep in view the main object of your lordship's instructions, but to bring the general topography of the country into a more accurate form, in order that the map to be made to accompany this report might be an intelligent exponent of the physical geography of the country. This became an important branch of our undertaking, which had to be applied to the whole area between the Bay of Chaleurs and the south-western sources of the St. John; thence, north-westwardly to the highlands claimed by the United States as the highlands of the treaty of 1783, in 46 deg. 27 min.; and eastwardly, thence at various points of the highlands thus claimed by the United States as far as the waters running into Lake Metis, in north latitude 48 deg. This

last point was reached at the setting in of the winter season; and the party on that service had but just completed their observations when they were compelled to hasten to the coast by very rigorous weather, ice having formed on the lakes and streams.

We have troubled your lordship with these remarks and incidents, not for the purpose of showing that our duty was accompanied with a greater degree of personal inconvenience than was contemplated by us on accepting the charge we have been honoured with, but to account, in some measure, for the delay in the sending in of our report. Your lordship will please further to understand, that after our return to Fredericton, in New Brunswick, with the various information acquired under such circumstances as we have described, a great part of that information had to be applied to such surveys of the northern parts of the province of New Brunswick as existed in the Crown Land-office at Fredericton, in such manner as that, by transferring the results of our labours to the accurate outlines of the official surveys, a map worthy of the public confidence might be constructed; and that in consequence of its being enjoined upon us in our instructions to return to England, when the season should no longer permit us to continue our operations, we intrusted the task of filling up the outlines of the official surveys to an intelligent person belonging to the Crown Land-office, who had been in our service in the capacity of surveyor and commissary;* but the final result of his labours, owing to circumstances beyond his control, and to adverse winds, arrived in England a month later than the period it was expected, and it has been only by using unremitting diligence that we have been able to prepare the comprehensive map herewith submitted with this report.

We have endeavoured in the preceding pages to explain how, from very inadequate causes, the public in the United States have been led to entertain such strong but erroneous opinions of the right of that country to the disputed territory.

In regard to the ancient occupation of the country, we have shown that the concessions made by the government of France in 1684, of lands lying north of the 46th degree of north latitude, were ordered to be held of the governor of Quebec.

But the fief of Madawasca was granted by the French government in 1683, one year before this last period, and eight years before the charter of William and Mary was granted to the colony of Massachusetts in 1691; and, although that fief is held under its original title to this day, the United States nevertheless claim it as lying within the disputed territory. Other concessions of a similar character exist, and it could be proved that Canadian and New Brunswick jurisdiction obtained uninterruptedly in the disputed territory up to the year 1814, without any adverse claim having been put in by the United States.

With respect to the due north line, which was run in 1817 and 1818, and which we have traced on the map, a very general misunderstanding prevails respecting

* Mr. Wilkinson.

it. That line never was intended to have any validity as a practical execution of the treaty, or to be anything but an experimental and exploratory line to aid in the examination of the country for discovering the "highlands" of the treaty. The joint commissioners, indeed, did, as we have already stated, authorize an "actual survey" of a due north line from the source of the St. Croix, and that survey was undertaken; but it was almost immediately afterwards abandoned in consequence of the imperfection of the method adopted, and on account of the disagreement of the surveyors. As respects the due north line, then, nothing has been accomplished by the two governments. Nevertheless the United States, acting as though the due north line had been surveyed and agreed upon by both parties, and as though any part of the disputed territory adjacent to it had been formerly ceded to them by Great Britain, have already taken possession of the country to within twelve miles of the town of Woodstock, in New Brunswick, and have erected a strong military fort and barracks at a place called Houlton, which has been for some time garrisoned by a detachment of the United States' army.

There is yet another point to which we desire to draw the attention of your lordship.

Had the award of the king of the Netherlands been accepted by both countries, the treaty, nevertheless, could not have been executed; for when the line along the "thalwag" of the St. John had got to its termination up the St. Francis, and had taken its western departure thence, according to that award, it never would, as we have heretofore shown, have come within forty to fifty miles of the "north-westernmost source of the Connecticut River," where the award of the king of the Netherlands directs it to go.

It is also to be remarked, that a fluctuating state of things such as existed in former times in that part of North America, of which the territory now in dispute with the United States forms a portion, could not fail to produce, at different periods, numerous maps, where the lines of demarcation between parties claiming adversely to each other would be laid down in such a manner as to enforce, as much as possible, the claims of parties interested in the establishment of these several lines. Previously to the war with France, in 1756, when the great conflict for power in North America began between the two nations, many maps of North America were produced in England in which the British claims were extended by lines of demarcation to the river St. Lawrence. These grew out of the war titles which have been spoken of; and new editions of such maps appeared, even after the grants made by the British crown had been virtually revoked by the various treaties of peace which have been enumerated. The British colonies in North America were especially interested in keeping the French to the left bank of the St. Lawrence, and it was probably more with a view to the protection of those colonies, than for the sake of mere dominion that the British government claimed all the country east of the Kennebec and north to the St. Lawrence. The claims of Great Britain to that extent are recorded upon various maps; but nevertheless we do

not find that, either previously to the expulsion of the French power from North America, when the whole country fell under the rule of the king of Great Britain, or subsequently to the peace of 1763, the northern boundary of Massachusetts was ever settled. This being the case, the existence of maps published in England from the peace of Utrecht in 1713, down to the present time, exhibiting the claims of Great Britain carried out to the river St. Lawrence, or even representing a due north line, reaching to supposititious "highlands" near to the St. Lawrence, would furnish no evidence in support of the claim of Massachusetts to extend its territory to such highlands, even if such highlands existed at all, or if they could be traced to the north-western-most head of Connecticut river, whither they are required by the treaty to go.

By the treaty of Utrecht, in 1713, Great Britain acquired by cession from France "all Acadie according to its ancient limits." These limits extended to the 46th degree of north latitude. By the peace of 1763, France ceded to England the whole of her possessions north of the 46th degree to the river St. Lawrence. The title of England had then, therefore, become clearly established to the whole of that country, whilst no evidence appears of the right of Massachusetts to any part of it.

The boundary of Massachusetts had never been settled previously to the peace of 1783, and nothing passed upon that occasion which could give to Massachusetts any reason to suppose that her boundary would then be enlarged beyond her charter limits. The policy of England necessarily changed with the acknowledgement of the independence of her old colonies, and her protection was now peculiarly due to others rather than to those who had voluntarily estranged themselves from her connexion.

Yet the people of the United States, asserting claims so directly injurious to British colonial interests, have not scrupled, by their legislative authorities, to use the most violent language upon this subject, calling into question the integrity of Great Britain, and representing the just assertion of her right to the territory in dispute as an act which dishonoured her. Imputations to this effect, accompanying statements of the American claims, founded upon such objectionable grounds as we have exposed in this report, have been diligently circulated throughout the United States, and in all the capitals of Europe.

All the material arguments and facts which have occurred to us being thus brought under the notice of your lordship, we proceed to close our report with a summary of the foregoing pages:—

I. We have, in the first place, endeavoured to show that we should have been acting inconsistently with the information which we possess, and with the facts which we have to report, if we had adopted the grounds which the official British agents who have preceded us in the investigation of the boundary question relied upon as essential to the maintenance of the British view of the question—viz., that the boundary intended to be established by the second article of the treaty of 1783, was to be a line distinct from the southern boundary of the province of Quebec, as established by the royal

proclamation of 1763. In opposition to that erroneous impression, we have felt it our duty to show that these lines were one and the same thing. Indeed, the very definition of the point in the treaty—viz., the coincidence of the due north line with the highlands, proves that the commissioners for negotiating the treaty of 1783 considered the "highlands" of the treaty to be one and the same thing with the southern boundary of the province of Quebec; for if Nova Scotia had extended further to the north or to the west than the point where the due north line was to intersect the highlands, that point would have been the north-east angle of the state of Maine, but could not have been the north-west angle of Nova Scotia. For the true north-west angle would have been still further to the north or to the west, at whatever point the western boundary of Nova Scotia touched the southern boundary of the province of Quebec.

II. We have given some historical notices of the periods when the lands on the river St. Lawrence and on the Bay of Fundy were first discovered and settled by the French, with a view to show that it was long posterior to the settlements thus made by the French, that any part of those countries came into the occupation of the English; that every such occupation was incidental to a state of war; and that invariably, on the restoration of peace, every part of those countries so occupied was restored to France, down to the peace of Utrecht, in 1713.

III. We have shown that, in 1603, the Sieur de Monts received letters patent from his sovereign, granting him the country now called Maine and New Brunswick, to the 46th degree of north latitude; in which letters patent the word "Acadie" was first used as the name of the country; and that, at the peace of Utrecht, in 1713, France made her first cession to England of any of her possessions in that part of North America, ceding for ever to the British Crown "all Acadie according to its ancient limits."

IV. We have endeavoured to show by various concessions granted by the French government to its subjects, north of, and adjoining to, the 46th deg. parallel of north latitude, that the government of Quebec, when possessed by France, had jurisdiction as far south as that parallel.

V. By our map A we show that a line drawn along that parallel connects the head waters of the Chaudière river with a point not more than five miles north of that branch of the St. Croix river, where a monument has been erroneously placed, and with a point not more than forty-two miles north from the most western waters of the St. Croix.

VI. We have endeavoured to show that the claims of the colony of Massachusetts-bay to extend its territory to the St. Lawrence, in virtue of the grant of the Sagadahoc country by Charles II. to the duke of York in 1664, in virtue of the renewal of that charter in 1674, and in virtue of the charter granted by William and Mary in 1691, are without weight; seeing that the grant of 1664 was revoked by the treaty of Breda in 1667; and that the title to the Sagadahoc country accruing by the renewal of the grant in 1674, as well as the title to Nova Scotia, both of which countries were annexed to the colony of Massachusetts-bay in

the grant of 1691, were revoked by the treaty of Ryswick in 1697, which restored to France all she had possessed before the declaration of war.

VII. It is shown that the charter of William and Mary of 1691 does not extend the grant of the Sagadahoc country to the St. Lawrence, but only grants the lands "between the said country or territory of Nova Scotia and the said river of Sagadahoc, or any part thereof;" so that the extreme interpretation of this grant would require for the northern limit a line passing between the head water of the St. Croix river and the source of the Sagadahoc or Kennebec river, which would nearly coincide with a line passing between the western waters of the St. Croix and the highlands which divide the Kennebec from the Chaudière.

VIII. We show that the northern boundary of the colony of Massachusetts-bay had never been settled; that the right of that colony to go to the St. Lawrence was denied by the British government soon after the peace of Utrecht, in 1713, and has never since been admitted; that as late as 1764, a question was entertained by the lords of the board of trade whether Massachusetts had any right whatever to the lands in the Sagadahoc territory, and that at the peace of 1783 that question had not been settled.

We also adduce the opinions of some distinguished Americans that Massachusetts had no claim to go to the St. Lawrence.

IX. It is shown that there is no evidence of any expectation having been entertained on the part of the revolted colonies, that they would be permitted, at the restoration of peace, to have their boundary extended north of the river St. John; that, on the contrary, the Congress in 1782 instructed the negotiators to have, if possible, the north-west angle of Nova Scotia, established at the western source of the St. John's river, and to propose that river from its source to its mouth as the boundary between the two countries; and that upon the government of Great Britain refusing to admit their proposition, they abandoned it, and agreed "to adhere to the charter of Massachusetts-bay, and to the St. Croix River mentioned in it."

X. It will appear that the phraseology used in those instructions of Congress to their negotiators, in which the north-west angle of Nova Scotia is stated to be at the source of the St. John, has been transferred to the second article of the treaty of 1783; the only difference being, that in the latter, the river St. Croix is substituted for the river St. John, and that the highlands are directed to be reached from the St. Croix by a due north line.

XI. We show that the "highlands" of the treaty had been, as early as 1755, described by governor Pownall; and that he describes them as dividing the St. Francis and the Chaudière, from the Kennebec, and from all the branches of the Penobscot.

We also show, that he states the different branches of the Penobscot to extend from west to east along the southern front of the country now called the disputed territory;

That the topographical description of the southern boundary of Quebec contained in the royal proclamation of 1763, and the description of the boundary of Nova Scotia contained in the commis-

sions of some royal governors, were taken from governor Pownall's paper;

And that the language used in the boundary descriptions quoted from the secret journals of Congress, and the language used in the second article of the treaty of 1783, was but a copy of that which is to be found in the documents last mentioned.

XII. We have drawn the just inference, that the "highlands" which governor Pownall speaks of as throwing down both the western and eastern branches of the Penobscot are the highlands intended by the treaty; and we have adduced the contract of Jackson and Flint with the state of Massachusetts in 1792, to show that the land then granted was bounded on the north by the highlands, thus heading all the branches of the Penobscot; and that those "highlands" were then understood by the government of the state of Massachusetts to be the highlands intended by the treaty of 1783.

XIII. It is seen that the 2nd article of the treaty of 1783 can never be executed until the two governments first agree, which is the line of highlands that is to be intersected by the due north line, since the treaty directs the execution of the article to begin at a point which can have no existence, until the due north line has intersected highlands, acknowledged by both government to be those of the treaty.

XIV. We have discovered by a critical examination of the grant of Nova Scotia of 1621, in the original Latin, that the passage which describes the western boundary of the territory included in that grant, and which boundary was agreed, at the time of the treaty of 1783, to be the eastern boundary of Massachusetts, in conformity with the provisions contained in the charter of Massachusetts of 1691, is susceptible of a new interpretation varying in important particulars from the received one; and we show by a literal translation of the Latin, that the boundary was intended to run from the most western waters of the St. Croix to the sources of the Chaudière; a line which it has been seen coincides in a very striking manner with the boundary in the Sieur de Monts' grant of 1603.

XV. With reference to the great errors of Mitchell's map in latitude and longitude, we have suggested some remarkable considerations resulting therefrom. We have observed, that if a line were protracted upon that map between the most western sources of the St. John, and the western termination of the Bay of Chaleurs, and were adopted as the boundary between the two countries, the river St. John would fall to the south of that line, and be within the United States. Whereas by a line protracted between the above-mentioned points, properly adjusted as to the latitude and longitude as they exist on our map, the river St. John would be left on the British side, and to the north of the boundary between the two countries. But, though we have referred to Mitchell's map for the purpose of showing how the mistakes in that map may have contributed to account for the erroneous opinions prevailing in the United States about the boundary question, we are quite aware that Mitchell's map is not, and cannot be, any authority on this question; inasmuch as it is not mentioned or referred to, in any manner, in the treaty.

The boundary must be determined by applying the words of the treaty to the natural features of the country itself, and not by applying those words to any map.

XVI. It appears that in the discussions which have been hitherto had on the subject of the grant of Nova Scotia in 1621, reference has always been had to an American translation of that grant which was defective ; and that all the omissions and inaccuracies in that defective translation singularly concur to obscure the nature of the claim which her Majesty's government is interested to maintain.

XVII. We have shown that the terms "due north line," which were originally used in the commission of Mr. Montague Wilmot, in 1763, were inserted in that instrument, because the sources of the St. Croix river being to the south of those of the Penobscot, it was necessary to direct a due north line to be drawn from those sources as far as the southern boundary of the colony of Quebec, a fact which goes far to identify that boundary with the highlands of the treaty of 1783.

XVIII. In adverting to the proceedings of the commissioners, appointed under the treaty of 1794 to identify the St. Croix river, we remark upon the erroneous establishment of the point of departure for the due north line, which has had a disturbing influence upon all attempts subsequently made to execute the treaty. Had the point of departure of the due north line been established at the most western waters of the St. Croix, agreeably to a just construction of the treaty of 1783, it would have intersected highlands, south of the Roostuc river ; and any further protraction of the due north line from that point of intersection could not have been proposed, the treaty directing the due north line to go to the highlands, and not to any further point.

XIX. In that branch of our report entitled "The Physical Geography of the Country," we have shown that the line of "highlands" claimed by the United States to be the highlands of the treaty of 1783, even if it were continuous, which it is not, and if it divided the waters flowing in opposite directions, which it does not, passes at least fifty miles to the north of the "north-westernmost head of Connecticut river," and therefore could not by any reasoning be shown to be the "highlands" of the treaty of 1783 ; those highlands being required by that treaty to go to the north-westernmost head of Connecticut river.

XX. We have shown that the assumptions on the part of some of the official agents of the United States, both in relation to the continuity and to the dividing character of their "highlands," and to the elevation above the sea of the point they have stated to be the north-west angle of Nova Scotia of the treaty of 1783, are altogether unfounded in fact. That the conclusions upon which they have rested the American case, instead of being the legitimate results of practical investigation, are unsubstantial inventions brought forward in the absence of all real investigation; conveying erroneous ideas of the nature of the country, and calculated to mislead, not only their own authorities, but public opinion in the United States and in Europe, as to the merits of this question.

In concluding this report, we

have to ask the indulgence of your lordship if it should appear to be less complete than the importance of the subject required, or would have admitted of. The very short period allotted for our personal examinations of the disputed territory was diligently employed by us, as long as the season permitted us to continue our investigations; nor were they discontinued until we had made ourselves acquainted with the natural features of the country to the extent required by the important end contemplated in our instructions.

We are also aware that the somewhat complicated history of this controversy might, in more able hands, have been treated with greater ability, yet we venture to ask your lordship to rely upon the fidelity of all our statements. If we may be thought to have occasionally exceeded the precise line of our instructions, we rest our justification on the great anxiety we have felt to vindicate our country and our government from imputations as offensive as they are unfounded. Intimately allied as Great Britain and the United States are, we have thought it due to a question which has somewhat endangered the peace happily subsisting between them, that we should frankly explain some of the causes why the two governments have hitherto been defeated in their earnest attempt to bring the dispute to an equitable and amicable arrangement. If our strictures upon the conduct of some of the agents of the two governments heretofore employed in ineffectual attempts to settle the boundary question should give pain in any quarter, we can only say that the maintenance of British rights, and the preservation of peace did not appear to us to admit of being compromised by personal considerations. We have, therefore, stated things as we found them to be, and have been impartial in the application of our remarks. Above all, we desire to say that we have not intended to insinuate a doubt as to the good faith of the government of the United States in the progress of this matter. On the contrary, we have regretted to see that those irregularities on the part of some of its agents which it has been our duty to expose, could not fail to mislead that intelligent government, whose conduct during the negotiations has been uniformly marked by fairness. Notwithstanding the assertions which during so long a period have been confidently urged, that the United States alone can rightfully claim the territory in question, we hoped to have proved that the claim of Great Britain does not, as has been alleged, rest upon vague and indefensible grounds, but that she has always had a clear and indefeasible title, by right and by possession, to the whole of the disputed territory —a title, it is true, which has hitherto been somewhat obscured by its rather complicated history, and by the want of that interest which countries in the state of a wilderness, and remote from the mother country, sometimes fail to inspire.

If it should be urged that the British agents in whose hands this question has heretofore been have sometimes taken different views of the subject, and consequently expressed themselves in a manner inconsistent with the reasonings which we have used, we may fairly attribute it to the want of that more accurate information which we possess at this time. But it

becomes less surprising that they should have so acted under the disadvantageous circumstances we have alluded to, when we see that the people of Maine, whose legitimate home is conterminous with the country in dispute, have not to this day examined the territory, as they might have done, with an accuracy that admitted of an impartial judgment being formed, whether their claim, as they have hitherto preferred it, was or was not truly in accordance with the language and intentions of the treaty of 1783. It is not to be concealed, that they who were so much interested in the decision of the question, and who, as it were, live upon the spot, have contributed little or nothing to clear up the difficulties attending upon the subject. Their acts seem principally to have been confined to surveying the land into townships to be settled by their own citizens, and leaving it to the next generations to assert the proprietorship of them. Time will prove or disprove our statements. We have had truth at all times for our guide, and now confidently declare, that if upon concluding our investigations we had found reason to believe that the claim of Great Britain was, in our judgment, a doubtful one, we should have reported that fact to your lordship.

When this question shall receive a more calm and a more careful examination in the United States, we believe that the American people, who are eminently capable of forming a deliberate and sound judgment upon this grave question, will be anxious that it shall be decided according to the principles of strict justice, and consistently with the reverence due to that treaty whence is dated the independence of their government.

Finally, it gives us great satisfaction to be able to state to your lordship, that we have carefully examined every branch of this important subject as it has come under our consideration; and that, conscientiously believing that the claims of Great Britain to the whole of the disputed territory are founded in justice, and are in plain accordance with the second article of the treaty of 1783, and with the physical geography of the country.

We report, that we have found a line of highlands agreeing with the language of the second article of the treaty of 1783, extending from the north-westernmost head of the Connecticut river to the sources of the Chaudière, and passing thence in a north-easterly direction south of the Roostuc to the Bay of Chaleurs. The course of that line is traced out on the map A, accompanying our report. Upon the left margin of this map we have placed a section of the country along the line, as far as the Lake Keeaquawgam; and upon the right margin a perpendicular section along the exploratory due north line, accompanying them both with barometrical elevations.

We further report, that there does not exist in the disputed territory any other line of highlands which is in accordance with the second article of the treaty of 1783; and that the line which is claimed on the part of the United States, as the line of highlands of the treaty of 1783, does not pass nearer than from forty to fifty miles of the north-westernmost head of Connecticut river, and therefore has no

pretension to be put forward as the line intended by the treaty of 1783.

We have the honour to remain, my lord, your lordship's most obedient and humble servants,

G. W. Featherstonhaugh,
Rich. Z. Mudge,
Commissioners.

CHINA.

The High Commissioner's Second Letter to the Queen of England.

Lin, high imperial commissioner, a president of the board of war, viceroy of the two Kwang provinces, &c.

Tang, a president of the board of war, viceroy of the two Kwang provinces, &c.; and

E, a vice-president of the board of war, lieutenant-governor of Kwangtung, &c.,

Hereby conjointly address this public despatch to the queen* of England, for the purpose of giving her clear and distinct information (on the state of affairs), &c.

† It is only our high mighty emperor, who alike supports and cherishes those of the inner land and those from beyond the seas; who looks upon all mankind with equal benevolence; who, if a source of profit exists anywhere, diffuses it over the whole world; who, if the tree of evil takes root anywhere, plucks it up for the benefit of all nations; who, in a word, hath implanted in his breast that heart (by which beneficent nature herself) governs the heavens and the earth.

You, the queen of your honourable nation, sit upon a throne occupied through successive generations by predecessors, all of whom have been styled respectful and obedient. Looking over the public documents* accompanying the tribute sent (by your predecessors) on various occasions, we find the following:—

"All the people of my (that is, the king of England's) country, arriving at the central land for the purposes of trade, have to feel grateful to the great emperor for the most perfect justice or the kindest treatment," and other words to that effect.

Delighted did we feel that the kings of your honourable nation so clearly understood the great principles of propriety, and were so deeply grateful for the heavenly goodness (of our emperor): therefore it was that we of the heavenly dynasty nourished and cherished your people from afar, and bestowed upon them redoubled proofs of our urbanity and kindness. It is merely from these circumstances that your country, deriving immense advantage from its commercial intercourse with us, which has

* In the original *Wang*, or *regulus*, implying that our sovereign owes feudal homage to the great emperor. The term *kwuy*, "to inform an equal," is here used. This means to say that these high officers address our queen on a footing of equality.

† The first expression, *Hunw wei*, &c., implies that the people of a superior country are addressing an inferior country; the reverse is *Kung wei*, &c.

* Perhaps the king's letter sent by lord Macartney or lord Amherst.

endured now 200 years, has become the rich and flourishing kingdom that it is said to be.

But, during the commercial intercourse which has existed so long among the numerous foreign merchants resorting hither, are wheat and tares, good and bad; and of these latter are some who, by means of introducing opium by stealth, have seduced our Chinese people, and caused every province of the land to overflow with that poison. These, then, know merely to advantage themselves, they care not about injuring others. This is a principle which Heaven's Providence repugnates, and mankind conjointly look upon with abhorrence. Moreover, the great emperor, hearing of it, actually quivered with indignation, and especially despatched me, the commissioner, to Canton, that in conjunction with the viceroy and lieutenant-governor of the province, means might be taken for its suppression.

Every native of the inner land who sells opium, as also all who smoke it, are all alike adjudged to death. Were we then to go back and rake up the crimes of the foreigners, who by selling it for many years have induced dreadful calamity, and robbed us of enormous wealth, and punished them with equal severity, our laws could not but award to them absolute annihilation! But, considering that these said foreigners did yet repent of their crime, and with a sincere heart beg for mercy; that they took 20,283 chests of opium piled up in their store-ships, and through Elliot, the superintendent of the trade of your said country, petitioned that they might be delivered up to us, when the same were all utterly destroyed, of which we, the imperial commissioners and colleagues, made a duly prepared memorial to his majesty; —considering these circumstances, we have happily received a fresh proof of the extraordinary goodness of the great emperor, inasmuch as he who voluntarily comes forward may yet be deemed a fit subject for mercy, and his crimes be graciously remitted him! But as for him who again knowingly violates the laws, difficult indeed will it be thus to go on repeatedly pardoning! He or they shall alike be doomed to the penalties of the new statute! We presume that you, the sovereign of your honourable nation, on pouring out your heart before the altar of eternal justice, cannot but command all foreigners with the deepest respect to reverence our laws. If we only lay clearly before your eyes what is profitable and what is destructive, you will then know that the statutes of the heavenly dynasty cannot but be obeyed with fear and trembling.

We find that your country is distant from us about 60,000 or 70,000 miles*, that your foreign country ships come hither striving the one with the other for our trade, and for the simple reason of their strong desire to reap a profit. Now, out of the wealth of our inner land, if we take a part to bestow upon foreigners from afar, it follows that the immense wealth which the said foreigners

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* That is, Chinese miles, 20,000 or 23,000 British statute miles.

† The commissioner has not studied Adam Smith. Still we ought not to marvel at the ignorance of a Chinese mandarin in matters of trade, which he is taught from his infancy to despise; 200 or 300 years ago how far were we ourselves advanced in the science of political economy?

amass ought, properly speaking, to be the portion of our own native Chinese people.† By what principle of reason, then, should these foreigners send in return a poisonous drug, which involves in destruction those very natives of China? Without meaning to say that the foreigners harbour such destructive intentions in their hearts, we yet positively assert, that from their inordinate thirst after gain, they are perfectly careless about the injuries they inflict upon us; and such being the case, we should like to see what has become of that conscience which Heaven has implanted in the breasts of all men.

We have heard that in your own country opium is prohibited with the utmost strictness and severity; this is a strong proof that you know full well how hurtful it is to mankind. Since, then, you do not permit it to injure your own country, you ought not to have the injurious drug transferred to another country; and, above all others, how much less to the central land! Of the products which China exports to your foreign countries there is not one which is not beneficial to mankind in some shape or other. There are those which serve for food, those which are useful, and those which are calculated for re-sale; but all are beneficial. Has China ever yet sent forth a noxious article from its soil—not to speak of our tea and rhubarb, things which your foreign countries could not exist a single day without? If we of the central land were to grudge you what is beneficial, and not to compassionate your wants, then wherewithal could you foreigners manage to exist? And, further, as regards your woollens, camlets, and long ells, were it not that you get supplied with our native raw silk, you could not get these manufactnred! If China were to grudge you those things which yield a profit, how could you foreigners scheme for any profit at all? Our other articles of food —such as sugar, ginger, cinnamon, &c., and our other articles for use, such as silk piece goods, chinaware, &c., are all so many necessaries of life to you—how can we reckon up their number? On the other hand, the things that come from your foreign countries are only calculated to make presents of, or serve for mere amusement. It is quite the same to use if we have them, or if we have them not. If, then, these are of no material consequence to us of the inner land, what difficulty would there be in prohibiting and shutting our market against them? It is only that our heavenly dynasty most freely permits you to take of her tea, silk, and other commodities, and convey them for consumption everywhere without the slightest stint or grudge, for no other reason but that wherever a profit exists, we wish that it be diffused abroad for the benefit of all the earth!

Your honourable nation takes away the products of our central land, and not only do you thereby obtain food and support for yourselves, but, moreover, by re-selling these products to other countries, you reap a threefold profit. Now, if you would only not sell opium, this threefold profit would be secured to you; how can you possibly consent to forego it for a drug that is hurtful to man, and an unbridled craving after gain that seems to know no bounds? Let us suppose that foreigners came from another country and

brought opium into England, and seduced the people of your country to smoke it, would not you, the sovereign of the said honourable country, look upon such a procedure with anger, and in your just indignation endeavour to get rid of it? Now we have always heard that your Highness possesses a most kind and benevolent heart; surely, then, you are incapable of doing, or causing to be done, unto another, that which you would not wish another to do unto you. We have, at the same time, heard, that your ships which come to Canton do each and every of them carry a document granted by your Highness's self, on which are written these words:—"You shall not be permitted to carry contraband goods" (is this the ship's register)? this shows that the laws of your Highness are in their origin both distinct and severe, and we can only suppose that because the ships coming here have been very numerous, due attention has not been given to search and examine; and for this reason it is that we now address you this public document, that you may clearly know how stern and severe are the laws of the celestial dynasty, and most certainly you will cause that they be not again rashly violated!

Moreover, we have heard that in London, the metropolis where you dwell, as also in Scotland, Ireland, and other such places, no opium whatever is produced. It is only in sundry parts of your subject kingdom of Hindostan, such as Bengal, Madras, Bombay, Patna, Malwa, Benares, Malacca, and other places, where the very hills are covered with the opium plant, where tanks are made for the preparing of the drug, month by month, and year by year, the volume of the poison increases, its unclean stench ascends upwards, until heaven itself grows angry, and the very gods thereat get indignant. You, the queen of the said honourable nation, ought immediately to have the plant in those parts plucked up by the very roots. Cause the land there to be hoed up afresh, sow in its stead the five grains, and if any man dare again to plant in these grounds a single poppy, visit his crime with the most severe punishment. By a truly benevolent system of government such as this will you indeed reap advantage, and do away with a source of evil. Heaven must support you, and the gods will crown you with felicity. This will get for yourself the blessing of long life, and from this will proceed the security and stability of your descendants.

In reference to the foreign merchants who come to this our central land, the food that they eat, and the dwellings that they abide in, proceed entirely from the goodness of our heavenly dynasty; the profits which they reap, and the fortunes which they amass, have their origin only in that portion of benefit which our heavenly dynasty kindly allots them; and as these pass but little of their time in your country, and the greater part of their time in ours, it is a generally received maxim of old and modern times, that we should conjointly admonish and clearly make known the punishment that awaits them.

We further find that during the second moon of this present year (*i.e.* 9th of April, 1839), the superintendent of your honourable country, Elliot, viewing the law in relation to the prohibiting of opium as excessively severe, duly petitioned us, begging for "an ex-

tention of the term already limited," say five months for Hindostan and the different parts of India, and ten months for England, "after which they would obey and act in conformity with the new statute," and other words to the same effect. Now we, the high commissioner and colleagues, upon making a duly prepared memorial to the great emperor, have to feel grateful for his extraordinary goodness, for his redoubled compassion. Any one who within the next year and a half may by mistake bring opium to this country, if he will but voluntarily come forward, and deliver up the entire quantity, he shall be absolved from all punishment for his crime. If, however, the appointed term shall have expired, and there are still persons who continue to bring it, then such shall be accounted as knowingly violating the laws, and shall most assuredly be put to death; on no account shall we show mercy or clemency. This, then, may be called truly the extreme of benevolence and the very perfection of justice.

Our celestial empire rules over ten thousand kingdoms. Most surely we do possess a measure of godlike majesty which ye cannot fathom. Still we cannot bear to slay or exterminate without previous warning, and it is for this reason that we now clearly make known to you the fixed laws of our land. If the foreign merchants of your said honourable nation desire to continue their commercial intercourse, they must tremblingly obey our recorded statutes, they must cut off for ever the source from which the opium flows, and on no account make an experiment of our laws in their own persons. Let, then, your highness punish those of your subjects who may be criminal. Do not endeavour to screen or conceal them, and thus you will secure peace and quietness to your possessions—thus will you more than ever display a proper sense of respect and obedience, and thus may we ultimately enjoy the common blessings of peace and happiness! What greater joy, what more complete felicity than this!

Let your highness immediately upon the receipt of this communication inform us promptly of the state of matters, and of the measures you are pursuing utterly to put a stop to the opium evil. Let your reply be speedy! Do not on any account make excuses or procrastinate.

A most important communication.

P.S. We annex an abstract of the new law now about to be put in force:—

"Any foreigner or foreigners bringing opium to the central land with design to sell the same, the principals shall most assuredly be decapitated, and the accessories strangled; and all property found on board same ship shall be confiscated. The space of a year and a half is granted, within the which if any one bringing opium by mistake shall voluntarily step forward and deliver it up, he shall be absolved from all consequences of his crime."

This imperial edict was received on the 9th day of the 6th moon of the 19th year of Taoukwang (19th July, 1839), at which the period of grace begins, and runs on to the 9th day of the 12th moon of the 20th year of Taoukwang (15th January, 1840), when it is completed.

SPAIN.

Address of the Duke de la Victoria to the Queen Regent of Spain.

Barcelona, Sept. 7.

Madame,—With the frankness and loyalty of a soldier who has never failed to be entirely devoted to his queen and his country, I have on different occasions manifested to your majesty what was expedient for the good of your majesty's service and for the national prosperity—combating nobly the enemies of these objects, under whatever form they have conspired against the established order. But a cabal (*pandilla*), whose reprobate designs I had succeeded in suppressing by my public representations, and by force of signal triumphs in the field of battle, constantly followed up their efforts, employing machiavelism and dark intrigue in order to deprive me of the just appreciation which your majesty had conferred upon me, and thereby succeeded in involving this magnanimous nation in fresh disasters, in fresh sanguinary struggles, when the voice of peace had filled the hearts of all good Spaniards with delight.

I had occasion, on resigning all my commands on the 15th of July last, to express my belief that your majesty had withdrawn your confidence from me ; and although the president of the council of ministers of that period, taking the name of your majesty, pointed out a fact (that of the duke having been appointed commander-in-chief of the Royal Guard A), in order to convince me of the contrary, I could not remain satisfied, because the reasons which I gave your majesty, for that resignation acquired a still greater degree of strength from the circumstance of their not having been overruled ; at the same time that very cabinet took upon itself the singular office of notifying to me the non-admission of that resignation, notwithstanding that I pointed out in that act that your majesty had been disposed to replace the said cabinet by another more calculated to satisfy the feelings of the people, thereby averting the evils which were intimated by various circumstances and expressed opinions.

I felt bound to make another sacrifice for my queen and my country, by resigning myself to continue at the head of the forces, since it was considered necessary that I should do so, although I then had but a very weak hope that my gloomy predictions would be averted.

The most important places in the monarchy, through their corporations, and the national militia at various points, had applied to me, because they considered that the glorious events by which the throne of your august daughter had been consolidated might have conferred on me the faculty of making representations for the general good which would be favourably received. Their only desire was, that the constitution of 1837 should not be deteriorated or infringed upon by a government from which, seeing the course it

was pursuing, it had reason to fear everything; a government notorious for its scandalous removals of public functionaries—for the undue dissolution of a cortes which had just become constituted—for its interference in the election of the new deputies—and for the organic laws submitted for their deliberation.

To these authentic demonstrations were joined the knowledge which my position permitted me to possess of the state of affairs, their relative position, and necessary consequences; and being thereby convinced of the imperious necessity for impending misfortunes, I pointed out to your majesty that it was expedient, in virtue of your prerogative, that you should appoint another cabinet, capable of saving the vessel of the state—an opinion which your majesty adopted, under the promise that I should accept the presidency of the council, which I did not decline, wishing to see public tranquillity secured, and the unanimous desire satisfied of good Spaniards, of which the immense majority of the nation is composed.

My programme having been rejected—no doubt because its principal bases consisted in the dissolution of the present cortes, and that the projects of war which had been presented to them should be annulled by withholding the royal sanction—your majesty knows that, actuated by the best and most anxious wishes, in the different conferences to which your majesty was pleased to admit me, as soon as the war against the armed rebels had been gloriously terminated, and your majesty made known to me your desire that I should come to Barcelona, I particularly dwelt upon the expediency of not sanctioning the municipal law, because it was contrary to what is expressly provided for in the constitution sworn to, I feared my prognostics would be realized, should that sanction be given.

The obstinate determination of your majesty's cowardly counsellors, by their imprudent and precipitate measure (the royal sanction of the municipal law A), lighted up the torch of discord, which placed this industrious capital in combustion; but they took good care to save themselves from any danger by abandoning their posts, in order to go to a foreign country to shed the poison of calumny, by giving out that the cause of the evil was the person who had prevented it; and who, it is now made manifest, warded off the terrible consequences which they doubtless provoked, and which were also desired by those vile and spurious Spaniards who, hypocritically professing adherence to the fundamental law of the state, consider it to be a crime to proclaim that principle, and who were desirous of the blood of its faithful supporters, under the pretext of their being anarchists—a pretext basely concocted in the club to which these unworthy Spaniards are affiliated.

Your majesty, in those critical movements, must have been solely impelled by your natural goodness in favour of a people worthy—on account of their virtues and their remarkable sacrifices—of all consideration, and of having their just demands satisfied. This was believed to be the case on seeing the royal decrees, containing the nomination for new ministers of persons of well-known Spanish feelings, attached to the constitution they

had sworn to—to the throne of your august daughter, and to your majesty's regency; and, with the exception of one who declined accepting office, the whole made the serious sacrifice of accepting it, and proceeded immediately to offer their noble efforts to the crown, for whose lustre they were anxious, as well as for the prosperity of the state. Their principles were well known, and it was not possible that against those principles, and their own convictions, they could follow the crooked course of their predecessors. Therefore the nation gave itself up to the pleasing confidence that the happy lot for which all sighed was at hand.

For this reason, Madame, in the public manifestos, the movement of Barcelona was considered as a means of salvation, and was reprobated solely by the enemies of your majesty and of the constitution, and by those in whose breasts the feeling of national independence which is destined to constitute our felicity does not exist. The programme which the ministers elect presented to your majesty could not be either more just or more moderate, but the days which passed during its consideration allowed the selfish and criminal cabal to put fresh springs in motion, and caused your majesty to believe that you ought to carry out the system which cast down the former ministry; and no consideration, no reasonings, however eloquently offered, could produce the adoption of the bases pointed out.

Resignations consequently took place, and the nation remained without a constituted government after so prolonged a crisis. Other appointments were made, and the antecedents of some of the parties —all, Madame, was a signal of alarm in the capital of the kingdom, an alarm which has found an echo in Saragossa, and which will very probably break out in other provinces.

I enclose to your majesty a copy of the communications addressed to me by Don Joaquin Maria Ferrer, who has been nominated president of the provisional junta of government of the province of Madrid; also of the answer I have considered it necessary to return. In the pronouncement which has now taken place, but little blood has been shed. The object of this movement (*pronunciamento*), as I am informed, is no other than to support untouched the throne of Isabel II. the regency of your majesty, the constitution of the state, and the national independence. I believe, Madame, that such are the principles professed by your majesty; but in a representative government, all the counsellors of the crown being responsible for its acts, it is necessary that they should offer these securities which have been looked forward to so anxiously; and it being a fact that those who have been chosen since the accepted resignation of the Perez de Castro cabinet, and who might have satisfied that anxiety, were obliged to retire because they could not subscribe to the promulgation of municipal law, which is contrary to the constitution, the motive is clear which has impelled the lamentable movement that has placed your majesty in conflict, and which affects my heart, although long ago I foresaw it. The ministers who are at your majesty's side conceive that the means of repressing this move-

ment, are, to make use of the force of the army, according to the royal order communicated to me under date of the 5th instant, and to that effect I am called upon, I, who have not left untried any means for avoiding the arrival of the day of such a terrible trial, which might for ever compromise social order, cause torrents of blood to be shed, dislocate an army which renders us respectable, and deprive us of the fruits of the signal glories which have annihilated the hosts with which the rebel Don Carlos hoped to usurp the throne, and raise up scaffolds to sacrifice those who defended the throne, and obtained victory. For this reason, and because your majesty, in your autograph letter of the same date, which I have had the honour to receive, intimates that on account of these events your majesty has been induced to believe that the throne is in danger, I conceive it to be my sacred duty to tranquilize your majesty's mind in this respect, by making with nobleness, and with all my accustomed honest feeling, such observations as are suggested to me by my loyalty and patriotism, in the hope of so inclining your majesty's mind, that placing faith in my words, you accord those means of salvation which it appears to me are the only ones which ought to be adopted.

From what has been stated in this representation, it is evident, without recurring to antecedents, that the direction of affairs has not borne the stamp of that prudence or of that impartial justice which alone render governments strong and respectable. Ever since the dissolving of the late Cortes, the decided object has constantly been to discredit the Liberal party, denominated of Progress; establishing a system of exclusive protection in favour of the other party, called Moderado, which it is endeavoured to augment with persons of suspicious precedents, this fraction making a patrimony for itself of all the principal employments of the state. Thus, madame, there cannot exist either harmony or confidence, nor can peace be so solidly established as was to be hoped after the termination of the civil war. Besides this, the Liberal party has been calumniated by the supporters of the other party, under the pretext that the former were conspiring against the throne and the constitution, and that they are nothing more than anarchical enemies of social order; and frequently riots and mutinies have been fomented to corroborate this iniquitous report, but which have produced no effect, because men have, from frequent undeceptions, penetrated the origin and tendency of those pretexts. These abortions have been a necessary consequence, because the want of motives has rendered general combination impossible, inasmuch as they were too little in the interest of the instigators to be made trial of, lest they should be turned against themselves. Thus the disturbances of Madrid and Seville, in the latter months of the year 1838 failed, and my representations to your majesty of the 28th of October and September must have convinced your majesty as to the hand by which those disturbances were directed, and what was the end to which they tended. On that occasion disobedience was practised without any pretext towards the constituted government of your majesty, and at a time when the civil war was at its greatest height,

whereby the efforts of the defenders of the just cause might have been inutilized, and the triumph of the rebel bands might have ensued. I consider the present announcements as demonstrated up to this time in a very different light. There is no anarchical cabal which, professing no political creed, is endeavouring to subvert order—it is the Liberal party which, having been vexed, and being apprehensive that there will be a return to despotism, has taken up arms with the resolution not to lay them down until they shall see the throne of your august daughter secured, as well as your majesty's regency, the constitution of 1837, and the national independence. Men of fortune, of note, of high responsibility, have been the most urgent in these demands, and what must above all excite attention, is the fact that corps of the army have spontaneously joined them, no doubt because the cry uttered is that which is impressed upon their hearts, it being for those objects that they have made such heroic efforts, and for which they have presented their breasts with bravery and decision to the balls and the swords of the now vanquished enemies.

"On the other hand, I have not received any account of those violences and crimes having been committed which mark the progress of disorder and anarchy. These considerations, and many others which I omit in order not to distract too much your majesty's attention, I imagine should be weighed, before advancing to an extreme outbreak, in which children against parent, brother against brother, Spaniards against Spaniards, might be impelled to renew sanguinary struggles for one and the same principles, after having consented to embrace each other upon being freed from the common enemy, who sustained the fierce strife for seven years. And who can say what would happen even if blind obedience should lead the individual commanding the troops to so afflicting a combat? Has what happened to general Laitre, when he was proceeding to Andalusia been forgotten! Has not the garrison of Madrid just joined the inhabitants of that city, abandoning their captain-general? And if the same thing should occur with the corps which might be sent thither, what would become of discipline? What of the army? If I should march to Madrid I should be uneasy as to what might happen with regard to the rest of the troops, in the present state of fermentation on the part of the people. If I should send thither a general possessing my confidence, his compromise would be terrible, and it is very doubtful whether the soldiers would fight against compatriots who will present themselves with open arms, saying 'the cause for which I am struggling is the same as that for which you have shed your blood, and for which you have suffered the unexampled toils which render your names glorious!'

Your majesty says to me that, in order to regain your confidence more than ever, the pledge will be, that I come to the decision of defending the throne, thus freeing my country from the evils with which it is threatened.

Madame, — I have never deserved to have your majesty's confidence withdrawn from me. Does my blood, shed in battle, my constant anxiety for, and my whole existence devoted to the consolidation of the throne and to the hap-

piness of my country, and, in short, the history of my military life—do these circumstances count for nothing in your majesty's opinion? It is necessary that I should now give a proof of my fidelity to what I have sworn to, by gratifying, perhaps, the base desires of those men who, bereft of the titles which I am proud of holding, have induced your majesty to turn a deaf ear to my warnings, and to listen to their insidious projects.

I believe, madame, that the throne of my queen is in no danger, and I feel persuaded that the misfortunes of my country may be averted by the appreciation of the counsels, which in order to avoid those evils I considered it to be my duty to offer to your majesty. Madame, there may still be time for this. Madame, a frank manifesto from your majesty, declaring that the constitution shall not be deteriorated, that the present Cortes shall be dissolved, and that the laws they voted shall be submitted to the deliberation of the legislature to be newly convoked, will tranquilise the public mind, if at the same time your majesty should select six advisers of the crown of liberal, pure, just, and wise reputation. In that case, your majesty may be persuaded that all those who have pronounced themselves as dissidents would quit their hostile attitude, and would acknowledge with enthusiasm the goodness of your majesty, who has always been the mother of Spaniards; there will neither be bloodshed nor misfortunes—peace will be ensured—the ever virtuous army will preserve its discipline, and will maintain order and respect for the laws—it will be a strong shield for the constitutional throne, and our independence will be respected; whilst that period of prosperity will commence which this afflicted nation requires, in recompense of its generous sacrifices and its heroic efforts.

But if these means of salvation should not be adopted without a moment's loss, it will be difficult to calculate upon the course of events, and as to the point at which their effects may arrive; for a revolution, however sacred may be the object that produces it, may perchance be drawn into another channel by the perversity of some individuals, who would put the masses of the public in motion for the purpose of accomplishing criminal and anarchial projects.

May your majesty deign to fix your entire consideration upon what I have said, in order that your decision may be the most just and felicitous under such difficult circumstances.

Placing myself at the feet of
Your majesty,
THE DUKE DE LA VICTORIA.

PORTUGAL.

PAPERS PRESENTED TO BOTH HOUSES OF PARLIAMENT, BY COMMAND OF HER MAJESTY, RELATIVE TO THE NEGOTIATIONS BETWEEN GREAT BRITAIN AND PORTUGAL ABOUT THE SUPPRESSION OF THE SLAVE TRADE.

No. I.

LORD HOWARD DE WALDEN TO VISCOUNT PALMERSTON.

Lisbon, May 20, 1838, (*Received May* 30).

MY LORD,—I had an interview, on the 18th instant, with the Viscount de Sa da Bandeira, when I communicated to his excellency the contents of your lordship's despatch of the 12th of May, marked slave-trade,* and of which I delivered to him a copy. The viscount seemed hurt at this despatch, and remarked that he thought the communication of it peculiarly ill-timed, at the moment when there was reason to expect that our negotiations were about to be brought to a satisfactory termination.

I replied, I should be very glad if that should turn out to be the case, and that, if the result of that day's conference should be the conclusion of the treaty, I would take upon myself not to render the communication of the despatch so formal as to leave a copy with him.

After having reconsidered various points under discussion, as to details of articles, which had been corrected and revised repeatedly, we proceeded to discuss the question of making the slave-trade piracy.

I explained to his excellency that it was to the solemn declaration of the crown of Portugal, stigmatizing those engaged in the slave-trade with the brand of infamy, that the British parliament and her majesty's government attached so much importance; that, when in fact, the existing law of Portugal did enact, as the penalty of the slave-trade, a punishment such as might be considered of the secondary character, though not sufficiently severe, I did not understand on what principle he could resist the just expectations of Great Britain.

I pointed out to his excellency that slave-trade was declared piracy by the laws of Great Britain and of the United States; that Brazil had, under treaty, declared slave-trade piracy; that Spain had engaged to pass a law to the same effect, by assimilating her law in respect to the slave-trade to that of Great Britain; that in the Netherlands, slave-trade was punished with fourteen years in the galleys, under a law passed many years ago, when the feeling of Christendom against the slave-trade was by no means so strong and so universal as it is at present.

The viscount brought forward,

* Printed in papers relating to the slave trade; Class B. Correspondence with Foreign Powers, pages 180 and 181.—Presented to Parliament on the 7th May, 1839.

as objections, that piracy in Portugal was a capital crime, and came under an imperfect law in connection with high treason; and that it would therefore be necessary to enact a new law, to which he felt the greatest objection, with reference to the opposition which would certainly be entailed thereby to the ratification of the treaty by the Cortes.

I observed to his excellency that this very fact of the absence of a good general law relative to piracy would much facilitate the carrying through the measure in question; and that, when it was obvious to the whole world that in Portugal there was now a mania for legislating, the indisposition to submit to the Cortes a really necessary and effective law, on so important a principle as that proposed, connected with piracy, would be unintelligible.

The viscount then brought forward objections, such as certainly would be taken up in the Cortes, on the ground that the engagement by treaty to assimilate the legislation of Portugal to that of another country was unsuitable to her dignity. I explained to his excellency that in acting as Great Britain had done she was in fact only following the broad principle laid down at the congress of Vienna, and co-operating with all the powers in Europe for the extinction of the slave-trade; but that, if the wording of the article under mistaken feelings wounded any notions of dignity, I would consent to omit the expression "assimilating, &c.," provided he would consent to the concluding stipulation of the proposed article declaratory of piracy.

To this proposition the viscount still objected; and on my pressing him more strongly, and pointing out the mischievous effect and disagreeable consequences of the breaking off of our negotiations at this point, when the treaty might by this concession, be brought to a satisfactory conclusion, he said he could do nothing more on this subject without consulting his colleagues.

The viscount then revived the question of a guarantee to Portugal of her African dominions, to be given by Great Britain, in the shape of an additional article. I stated to his excellency that I had no powers to treat on the details of such a measure; that my official declarations laid down the basis of any engagements into which her majesty's government might be disposed to enter, and which ought to be accepted as sufficient.

His excellency, however, considered that a declaration to that effect, to be published simultaneously with the treaty, was not only of paramount importance to the security of the Portuguese colonial possessions in Africa, but that, accompanying the treaty, when presented to the Cortes, it would tend to mitigate and counteract all dangerous opposition which might be made by the opponents of the government to the ratification.

The viscount then delivered to me a project of an article, a copy of which I herewith enclose, and which although I declare it at once to be inadmissible, he requested me to take with me, and make my reflections on it against our next meeting. On Saturday I had another long conference, at which his excellency declared that the difficulties under which he laboured as to the piracy article were insurmountable. He stated

that no minister at this moment could venture to contract an engagement to pass such a law with a knowledge of the feeling which existed throughout the country respecting slave-trade, there being on one side active opposition to the suppression of the slave-trade, while total indifference was the characteristic of the feelings of the greatest part of those to whom the government must look for support as against the machinations of the advocates of the slave-trade.

There is certainly great truth in what the viscount states; but still with the prospect, as at present exists, of elections of a favourable character, I do not estimate the risk of opposition so high as his excellency does. But the viscount being party to a measure extremely obnoxious and injurious to the individual interests of certain influential persons, he is, perhaps, too much alive to the unpopularity which the act of signing a treaty for the abolition of the slave-trade will entail upon him with that party, and therefore overrates the chances of serious opposition in the Cortes.

With reference to the project of guarantee, I repeated to his excellency, after reflection, what I had stated before, that I could not swerve from the declaration I had made to him of my inability to enter into details of the auxiliary assistance which her majesty's government might be disposed to afford to the government of Portugal in the event of disturbances caused in the African possessions fomented and excited by those interested in resisting the operation of the law abolishing the slave-trade; but that I might, perhaps, if we agreed on other points, consent to sign a very general article, *sub spe rati*, as the basis of future negotiations. With this view I submitted to him the draught of an article, as roughly embodying my ideas on the subject, of which I enclose a copy.

In order to record the objections brought forward by the viscount de Sa da Bandeira, on the part of the Portugues government, to the required declaration as to piracy, I addressed a note to his excellency of which I enclose a copy, submitting draughts of two articles embodying that principle, either of which I proposed to adopt. In reply to this note the viscount has promised to make such a declaration on the subject of piracy as his excellency trusts confidentially will remove the only difficulty on the part of her majesty's government to accepting the treaty as it will stand on my departure from Lisbon.

I have, &c.

HOWARD DE WALDEN.

To the right hon. viscount Palmerston, G.C.B., &c.

FIRST ENCLOSURE IN NO. 1.

(Translation.)

PROJECT OF ADDITIONAL ARTICLE ON GUARANTEE, IS PROPOSED BY VISCOUNT DE SA DA BANDEIRA.

In order to prevent any inconveniences which might result from carrying into execution, in the Portuguese dominions in Africa' the treaty concluded between her most faithful majesty and her Bri-

tannic majesty, for the total abolition of the slave-trade, signed this day, her Britannic majesty promises in her name, and in that of her successors, as follows :—

1. To guarantee to the crown of Portugal the dominions of that crown in Africa enumerated in article of the said treaty signed this day.

2. To furnish, in support of the guarantee promised in the proceeding paragraph, an effective assistance, both by sea and land, to the government of her most faithful majesty, whenever the latter may demand it from the British government, or whenever it may be demanded directly by the Portuguese authorities in Africa, from the British authorities in Africa or in India; it being, however, understood, that the governor-general of Mozambique may demand the said assistance from the governor of the Cape of Good Hope, or of Bombay, or of the Mauritius, but must never require more than two ships of war and 500 troops for disembarkation; and the governor-general of Angola may demand the said assistance from the governor of the Cape of Good Hope, or of Sierra Leone, but must never require more than three ships of war and 800 troops for disembarkation. And that the governors of the other Portuguese settlements in Africa may demand assistance from the British governors in Africa; and that the latter shall be bound to supply it in proportion to the means at their disposal, and to the urgent need thereof.

The present additional article shall have the same force and vigour as if it were inserted word for word in the said treaty signed this day; and shall be ratified, and the ratification exchanged at the same time.

In faith and testimony whereof, the plenipotentiaries, &c.

Second Enclosure in No. 1.

Counter Project of Additional Article on Guarantee, as proposed by Lord Howard de Walden.

In order to guard against any opposition which may result from the execution in the Portuguese dominions in Africa of the treaty concluded between her most faithful majesty and her Britannic majesty, for the total abolition of the traffic in slaves, of a character which may endanger the tranquility or safety of the said dominions, whether fomented by natives or foreigners, her Britannic majesty promises an effectual aid to the government of her most faithful majesty, when such aid shall be requested of the British government. The object, nature, amount, and duration, of such assistance shall be regulated by special engagements, to be the subject of immediate negotiation between the two governments.

Third Enclosure in No. 1.

Lord Howard de Walden to Viscount de Sa da Bandeira.

Lisbon, May 20, 1838.

The undersigned, &c., having maturely weighed the objections brought forward by his excellency viscount de Sa da Bandeira, &c., to the adoption of an article in the

proposed treaty for the abolition of the slave-trade, declaring that traffic to be piracy, has the honour now to transmit to his excellency two projects of an article embodying that principle, but one of which the undersigned hopes may be considered by his excellency free from difficulties insurmountable by the Portuguese government.

His excellency will have recognised, in the communication the undersigned had to make to him yesterday, the very strong and anxious feeling which exists on the part of the British parliament, and of her majesty's government on this subject, and the importance which is justly attached to the co-operation of the government of her most faithful majesty in stigmatising as infamous a traffic denounced by the representatives of all Europe, assembled twenty-two years ago, as disgraceful to Christianity.

The undersigned cannot too earnestly appeal to the viscount de Sa da Bandeira, the minister to whom the glory is due of having, during the short period of dictatorship, proclaimed the abolition of the slave-trade, to take into his most serious consideration, in the same philanthropic spirit by which he was on that occasion influenced, the consequences which will be involved in the rejection of this proposal on the part of Great Britain to make slave-trade piracy, which is made a condition, *sine quâ non*, of the conclusion of the proposed treaty, by the loss of which such immense benefits to be conferred thereby on the human race, and of advantages to the possessions of the crown of Portugal in Africa, will be destroyed. The undersigned, &c.,

HOWARD DE WALDEN.

His excellency the viscount de Sa da Bandeira, &c.

SUB-ENCLOSURE TO THIRD ENCLOSURE IN No. 1.

TWO PROJECTS OF ARTICLE ON PIRACY.

First Project of Article.

Her majesty the queen of Portugal and the Algarves hereby engages, that immediately after the exchange of the ratifications of the present treaty, and from time to time afterwards, as it may become needful, her majesty will take the most effectual measures for preventing her subjects from being concerned, and her flag from being used, in carrying on in any way the trade in slaves; and especially that, within six months after the said exchange, she will promulgate throughout her dominions a penal law declaring slave-trade piracy, and inflicting the most severe secondary punishment on all those her subjects who shall, under whatever pretext, take any part whatever in the traffic in slaves.

Second Project of Article.

Her majesty the queen of Portugal and the Algarves, also engages that, in further pursuance of the stipulations contained in the first article of this treaty, she will forthwith take the necessary steps for enacting penal laws for the prevention of the slave-trade, and

by which slave-trade shall be declared to be piracy, and those guilty of it subjected to the heaviest secondary punishment.

No. 2.

Lord Howard de Walden to Viscount de Sa da Bandeira.

(*Most confidential.*) *Saturday Night.*

My dear Viscount,—Here is a note upon which to hang your declaration as to piracy. You will probably state,—1, your objections and difficulties, if insurmountable; 2, the fact of having established a penal law, inflicting a secondary punishment for [illegible] concerned in the slave-trade; 3, remark on no European power besides England having actually declared slave-trade piracy; and, 4, conclude with a declaration of the readiness of Portugal, either simultaneously or jointly, to unite with other powers of Europe in any resolution to the effect of declaring slave-trade piracy, although, circumstanced as the Government is now, you cannot venture to take the initiative. This, in short, strikes me as the outline of the best case to make out, wording the conclusion as strongly as you can in a general sense, denouncing the slave-trade.

Believe me, &c.,

Howard de Walden.

His excellency the Viscount de Sa da Bandeira, &c.

No. 3.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, Dec. 18, 1838—*Received Jan.* 7, 1839.

My Lord, — Allusions having been made more than once officially by the viscount de Sa da Bandeira to my departure from Lisbon in May last, as the cause of the non-signature of the treaty for the abolition of the slave-trade then under negotiation, I have the honour herewith to enclose a copy of a memorandum, which, a short time before I broke off the negotiation of the said treaty, I drew up hastily at the moment, as explanatory of the grounds on which alone I could consent to affix my signature to it at all (containing, as I felt it did, several provisions which could not be satisfactory to her majesty's government), even supposing the main difficulties under discussion, created by the Portuguese government respecting piracy and the proposed guarantee to have been overcome, the first by a solemn engagement as to future denunciation of slave-trade as piracy, and the second by moderation and reason, as to the extent of the engagements required of Great Britain.

I did not forward this paper at the time, as no discussion on the subject of it took place; I had merely read it over to the viscount de Sa on delivering it to him, and he had received it, to take it into consideration, only as an act proposed by me as preliminary to the signature of the treaty whenever it might take place, subject to amendment and correction on being discussed by us. As, however, the contents of this paper, roughly and hastily drawn up as it

was, still tend to illustrate what the real attitude was which I assumed in regard to the contingent signature of the treaty, I have thought it right, even thus late, to bring it under your lordship's notice.

My motive for desiring to obtain in this way the signature of the viscount de Sa da Bandeira to the stipulations of the treaty, as then proposed, without definitively committing her majesty's government in the event of their affording even a remote chance of its being looked upon, on the whole, as admissible, was the apprehension of a change of government in this country, which would at once have rendered the completion of any treaty impossible previous to the breaking up of parliament. The probability also to be looked upon at that time was, that no new minister would be more generally hostile to the slave-trade than the viscount de Sa himself, while there were but too strong reasons to apprehend, that his successor might even be friendly to that infamous traffic.

I have, &c.,
HOWARD DE WALDEN.

The right hon. viscount Palmerston, G.C.B., &c.

ENCLOSUR IN No. 3.

Memorandum.

At a conference held this day between the viscount de Sa da Bandeira and lord Howard de Walden, lord Howard declared, that he did not feel authorised, under his instructions, to affix his signature to any treaty for the abolition of the slave-trade, which did not contain a provision for making that traffic piracy.

The viscount de Sa da Bandeira, on the part of the Portuguese government, stated that force of circumstances alone prevented his acquiescing in such a stipulation in the proposed treaty; but declared, in the name of the queen of Portugal, her most faithful majesty's willingness to become party, by either a joint or simultaneous act, to any general measure adopted by other European powers for the above object. The viscount de Sa da Bandeira and lord Howard, having both also weighed the various inconveniences which might arise from a delay at this moment in the actual signature of the treaty, containing important stipulations so entirely in conformity with so many of the other principles and details of the project, as presented to the Portuguese government, have agreed to affix their signatures to the treaty *sub spe rati*, under the mutual pledge that, in the event of the treaty not being accepted as it stands by her majesty's government, the act of its signature shall remain secret, and the document shall be cancelled, and be considered to all intents and purposes null and void in all its parts, as if the said signatures had never taken place.

AFFAIRS OF THE EAST.

CONVENTION CONCLUDED BETWEEN THE COURTS OF GREAT BRITAIN, AUSTRIA, PRUSSIA, AND RUSSIA, ON THE ONE PART, AND THE SUBLIME OTTOMAN PORTE ON THE OTHER, FOR THE PACIFICATION OF THE LEVANT, SIGNED AT LONDON ON THE 15TH OF JULY, 1840.

In the name of the Most Merciful God.

His highness the sultan having addressed himself to their majesties the queen of the United Kingdom of Great Britain and Ireland, the emperor of Austria, king of Hungary and Bohemia, the king of Prussia, and the emperor of all the Russias, to ask their support and assistance in the difficulties in which he finds himself placed by reason of the hostile proceedings of Mehemet Ali, pasha of Egypt—difficulties which threaten with danger the integrity of the Ottoman empire and the independence of the sultan's throne, their said majesties, moved by the sincere friendship which subsists between them and the sultan, animated by the desire of maintaining the integrity and independence of the Ottoman empire as a security for the peace of Europe, faithful to the engagement which they contracted by the collective note presented to the Porte by their representatives at Constantinople on the 27th of July, 1839, and desirous, moreover, to prevent the effusion of blood, which would be occasioned by a continuance of the hostilities which have recently broken out in Syria between the authorities of the pasha of Egypt and the subjects of the sultan, their said majesties and his highness the sultan have resolved, for the aforesaid purposes, to conclude together a convention, and they have therefore named as their plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Hon. Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of her Britannic Majesty's most Hon. Privy Council, Knight GrandCross of the most Hon. Order of the Bath, a Member of Parliament, and her Principal Secretary of State for Foreign Affairs.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Philip, Baron de Neumann, Commander of the Order of Leopold of Austria, decorated with the Cross for Civil Merit, Commander of the Orders of the Tower and Sword of Portugal, of the Southern Cross of Brazil, Knight Grand Cross of the Order of St. Stanislaus of the Second Class of Russia, his Aulic Councillor, and his Plenipotentiary to Her Britannic Majesty.

His Majesty the King of Prussia, the Sieur Henry William, Baron de Bulow, Knight of the Order of the Red Eagle of the First Class of Prussia, Grand Cross of the Orders of Leopold of Austria and of the Guelphs of Hanover, Knight Grand Cross of the Orders of St. Stanislaus of the Second Class, and of St. Wladimir of the Fourth Class of Russia, Commander of the Order of the Falcon of Saxe Weimar, his Chamberlain, actual Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty.

His Majesty the Emperor of all the Russias, the Sieur Philip, Ba-

ron de Brunnow, Knight of the Order of St. Anne of the First Class, of St. Stanislaus, of the First Class, of St. Wladimir of the Third, Commander of the Order of St. Stephen of Hungary, Knight of the Order of the Red Eagle, and of St. John of Jerusalem, his Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty :—

And his Majesty the Most Noble, the Most Powerful, and Most Magnificent Sultan Abdul Mejid, Emperor of the Ottomans, Chekib Effendi, decorated with the Nichan Iftihar of the First Class, Beyligdgi of the Imperial Divan, Honorary Councillor of the Department of Foreign Affairs, his Ambassador Extraordinary to Her Britannic Majesty : who, having reciprocally communicated to each other their full powers, found to be in good and due form, have agreed upon and signed the following articles :—

Article I.—His Highness the Sultan having come to an agreement with their majesties the queen of the United Kingdom of Great Britain and Ireland, the emperor of Austria, king of Hungary and Bohemia, the king of Prussia, and the emperor of all the Russias, as to the conditions of the arrangement which it is the intention of his Highness to grant to Mehemet Ali, conditions which are specified in the separate act hereunto annexed, their majesties engage to act in perfect accord, and to unite their efforts in order to determine Mehemet Ali to conform to that arrangement ; each of the high contracting parties reserving to itself to co-operate for that purpose according to the means of action which each may have at its disposal.

Article II.—If the pasha of Egypt should refuse to accept the abovementioned arrangement, which will be communicated to him by the sultan, with the concurrence of their aforesaid majesties, their majesties engage to take, at the request of the sultan, measures concerted and settled between them, in order to carry that arrangement into effect. In the mean while, the sultan having requested his said allies to unite with him, in order to assist him to cut off the communication by sea between Egypt and Syria, and to prevent the transport of troops, horses, arms, and warlike stores of all kinds, from the one province to the other, their majesties the queen of the united kingdom of Great Britain and Ireland, and the emperor of Austria, king of Hungary and Bohemia, engage to give immediately to that effect the necessary orders to their naval commanders in the Mediterranean. Their said majesties further engage that the naval commanders of their squadrons shall, according to the means at their command, afford, in the name of the alliance, all the support and assistance in their power to those subjects of the sultan who may manifest their fidelity and allegiance to their sovereign.

Article III.—If Mehemet Ali, after having refused to submit to the conditions of the arrangements abovementioned, should direct his land or sea forces against Constantinople, the high contracting parties, upon the express demand of the sultan, addressed to their representatives at Constantinople, agree in such case to comply with the request of that sovereign, and to provide for the defence of his throne by means of a co-operation

agreed upon by mutual consent, for the purpose of placing the two straits of the Bosphorus and Dardanelles, as well as the capital of the Ottoman empire, in security against all aggression.

It is further agreed, that the forces which, in virtue of such concert, may be sent as aforesaid, shall there remain so employed as long as their presence shall be required by the sultan; and when his highness shall deem their presence no longer necessary, the said forces shall simultaneously withdraw, and shall return to the Black Sea, and to the Mediterranean respectively.

Article IV.—It is, however, expressly understood, that the cooperation mentioned in the preceding article, and destined to place the Straits of the Dardanelles and of the Bosphorus, and the Ottoman capital, under the temporary safeguard of the high contracting parties, against all aggression of Mehemet Ali, shall be considered only as a measure of exception, adopted at the express demand of the sultan, and solely for his defence in the single case abovementioned; but it is agreed that such measure shall not derogate in any degree from the ancient rule of the Ottoman empire, in virtue of which it has in all times been prohibited for ships of war of foreign powers to enter the Straits of the Dardanelles and of the Bosphorus. And the sultan on the one hand, hereby declares that, excepting the contingencies abovementioned, it is his firm resolution to maintain in future this principle invariably established as the ancient rule of his empire; and, as long as the Porte is at peace, to admit no foreign ship of war into the Straits of the Bosphorus and of the Dardanelles; on the other hand, their majesties the queen of the united kingdom of Great Britain and Ireland, the emperor of Austria, king of Hungary and Bohemia, the king of Prussia, and the emperor of all the Russias, engage to respect this determination of the sultan, and to conform to the abovementioned principle.

Article V.—The present convention shall be ratified, and the ratifications thereof shall be exchanged at London at the expiration of two months, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 15th day of July, in the year of our Lord 1840.

Palmerston. Chekib.
Neumann.
Bulow.
Brunnow.

Separate act annexed to the convention concluded at London on the 15th of July, 1840, between the courts of Great Britain, Austria, Prussia, and Russia, on the one part, and the sublime Ottoman Porte on the other.

His highness the sultan intends to grant and to cause to be notified to Mehemet Ali, the conditions of the arrangement hereinafter detailed:—

Section I.—His highness promises to grant to Mehemet Ali, for himself and for his descendants in the direct line, the administration of the pashalic of Egypt; and his

highness promises, moreover, to grant to Mehemet Ali, for his life, with the title of pasha of Acre, and with the command of the fortress of St. John of Acre, the administration of the southern part of Syria, the limits of which shall be determined by the following lines of demarcation:—

This line, beginning at Cape Ras-el-Nakhora, on the coast of the Mediterranean, shall extend direct thence as far as the mouth of the river Seizaban, at the northern extremity of the lake of Tiberias; it shall pass along the western shore of that lake; it shall follow the right bank of the river Jordan, and the western shore of the Dead Sea; thence it shall extend straight to the Red Sea, which it shall strike at the northern point of the Gulf of Akaba; and thence it shall follow the western shore of the Gulf of Akaba, and the eastern shore of the Gulf of Suez, as far as Suez.

The sultan, however, in making these offers, attaches thereto the condition, that Mehemet Ali shall accept them within the space of ten days after communication thereof shall have been made to him at Alexandria by an agent of his highness; and that Mehemet Ali shall, at the same time, place in the hands of that agent the necessary instructions to the commanders of his sea and land forces, to withdraw immediately from Arabia, and from all the holy cities which are therein situated from the island of Candia; from the district of Adana: and from all other parts of the Ottoman empire which are not comprised within the limits of Egypt, and within those of the pashalic of Acre, as above defined.

Section 2.—If within the space of ten days, fixed as above, Mehemet Ali shall not accept the abovementioned arrangement, the sultan will then withdraw the offer of the life administration of the pashalic of Acre; but his highness will still consent to grant to Mehemet Ali, for himself and for his descendants in the direct line, the administration of the pashalic of Egypt, provided such offer be accepted within the space of the ten days next following—that is to say, within a period of twenty days, to be reckoned from the day on which the communication shall have been made to him; and provided that in this case also he places in the hands of the agent of the sultan, the necessary instructions to his military and naval commanders to withdraw immediately within the limits and into the ports of the pashalic of Egypt.

Section 3.—The annual tribute to be paid to the sultan by Mehemet Ali, shall be proportioned to the greater or less amount of territory of which the latter may obtain the administration, according as he accepts the first or the second alternative.

Section 4.—It is moreover expressly understood, that in the first as in the second alternative, Mehemet Ali (before the expiration of the specified period of ten or twenty days) shall be bound to deliver up the Turkish fleet, with the whole of its crews and equipments, into the hands of the Turkish agent who shall be charged to receive the same. The commanders of the allied squadrons shall be present at such delivery.

It is understood, that in no case can Mehemet Ali carry to account, or deduct from the tribute to be paid to the sultan, the expenses which he has incurred in the

maintenance of the Ottoman fleet during any part of the time it shall have remained in the ports of Egypt.

Section 5.—All the treaties, and all the laws of the Ottoman empire, shall be applicable to Egypt, and to the pashalic of Acre, such as it has been above defined, in the same manner as to every other part of the Ottoman empire. But the sultan consents, that on condition of the regular payment of the tribute abovementioned, Mehemet Ali and his descendants shall collect, in the name of the sultan, and as the delegate of His highness, within the provinces the administration of which shall be confided to them, the taxes and imposts legally established. It is, moreover, understood that, in consideration of the receipt of the aforesaid taxes and imposts, Mehemet Ali and his descendants shall defray all the expenses of the civil and military administration of the said provinces.

Section 6.—The military and naval forces which may be maintained by the Pasha of Egypt and Acre, forming part of the forces of the Ottoman empire, shall always be considered as maintained for the service of the state.

Section 7.—If, at the expiration of the period of twenty days after the communication shall have been made to him (according to the stipulation of section 2), Mehemet Ali shall not accede to the proposed arrangement, and shall not accept the hereditary pashalic of Egypt, the sultan will consider himself at liberty to withdraw that offer, and to follow, in consequence, such ulterior course as his own interests and the counsels of his allies may suggest to him.

Section 8.—The present separate act shall have the same force and validity as if it were inserted, word for word, in the convention of this date. It shall be ratified, and the ratifications thereof shall be exchanged at London at the same time as those of the said convention.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London the 15th day of July, in the year of our Lord, 1840.

Palmerston. Chekib.
Neumann.
Bulow.
Brunnow.

Protocol signed at London on the 15th of July, 1840, by the plenipotentiaries of Great Britain, Austria, Prussia, Russia, and Turkey.

In affixing his signature to the convention of this date, the plenipotentiary of the Sublime Ottoman Porte declared—

That in recording by article four of the said convention, the ancient rule of the Ottoman empire, by virtue of which it has been at all times forbidden to foreign vessels of war to enter within the straits of the Dardanelles and of the Bosphorus, the sublime porte reserves to itself, as heretofore, to deliver passes to light vessels under flag of war, which may be employed according to the custom for the service of the correspondence of the legations of friendly powers.

The plenipotentiaries of the courts of Great Britain, Austria, Prussia,

and Russia, took note of the above declaration, for the purpose of communicating it to their respective courts.

PALMERSTON. CHEKIB.
NEUMANN.
BULOW.
BRUNNOW.

RESERVED PROTOCOL SIGNED AT LONDON, ON THE 15TH OF JULY, 1840, BY THE PLENIPOTENTIARIES OF GREAT BRITAIN, AUSTRIA, PRUSSIA, RUSSIA, AND TURKEY.

The plenipotentiaries of the courts of Great Britain, Austria, Prussia, Russia, and Turkey, having, in virtue of their full powers, concluded and signed this day a convention between their respective sovereigns for the pacification of the Levant.

Considering that, in consequence of the distances which separate the capitals of their respective courts, a certain space of time must necessarily elapse before the ratifications of the said convention can be exchanged, and before orders founded thereupon can be carried into execution;

And the said plenipotentiaries being deeply impressed with the conviction, that by reason of the present state of things in Syria, the interests of humanity, as well as the grave considerations of European policy which constitute the object of the common solicitude of the contracting parties to the convention of this day, imperiously require that, as far as possible, all delay should be avoided in the accomplishment of the pacification which the said convention is intended to effect;

The said plenipotentiaries, in virtue of their full powers, have agreed, that the preliminary measures mentioned in article two of the said convention shall be carried into execution at once, without waiting for the exchange of ratifications; the respective plenipotentiaries recording formally, by the present instrument, the consent of their courts to the immediate execution of these measures.

It is moreover agreed between the said plenipotentiaries, that his highness the sultan will proceed immediately to address to Mehemet Ali the communication and offers specified in the separate act annexed to the convention of this day.

It is further agreed, that the consular agents of Great Britain, Austria, Prussia, and Russia at Alexandria, shall place themselves in communication with the agent whom his highness may send thither to communicate to Mehemet Ali the above-mentioned offers; that the said consuls shall afford to that agent all the assistance and support in their power, and shall use all their means of influence with Mehemet Ali in order to persuade him to accept the arrangement which will be proposed to him by order of his highness the Sultan.

The admirals of the respective squadrons in the Mediterranean shall be instructed to place themselves in communication with the said consuls on this subject.

PALMERSTON. CHEKIB.
NEUMANN.
BULOW.
BRUNNOW.

PROTOCOL OF A CONFERENCE HELD AT LONDON THE 17TH OF SEPTEMBER, 1840; PRESENT, THE PLENIPOTENTIARIES OF GREAT BRITAIN, AUSTRIA, PRUSSIA, RUSSIA, AND TURKEY.

The plenipotentiaries of the courts of Great Britain, Austria, Prussia, and Russia, after having exchanged the ratifications of the convention concluded on the 15th of July last, have resolved, in order to place in its true light the disinterestedness which has guided their courts in the conclusion of that act, to declare formally—

That in the execution of the engagements resulting to the contracting powers from the above-mentioned convention, those powers will seek no augmentation of territory, no exclusive influence, no commercial advantage for their subjects, which those of every other nation may not equally obtain.

The plenipotentiaries of the courts above-mentioned have resolved to record this declaration in the present protocol.

The plenipotentiary of the Ottoman porte, in paying a just tribute to the good faith and disinterested policy of the allied courts, has taken cognizance of the declaration contained in the present protocol, and has undertaken to transmit it to his court.

PALMERSTON. CHEKIB.
NEUMANN.
SCHLEINITZ.
BRUNNOW.

CORRESPONDENCE RELATIVE TO THE AFFAIRS OF THE LEVANT.

VISCOUNT PALMERSTON TO EARL GRANVILLE.

Foreign Office, June 19, 1839.

My Lord,—The inclosed paper contains the substance of the instructions which her majesty's government propose to give to Sir Robert Stopford, the commander-in-chief of her majesty's naval forces in the Mediterranean, and upon which they request the previous opinion of the French government.

The part of these instructions which relates to the possibility of the English and French squadrons going up to Constantinople in the event of a Russian force entering the Turkish territory, may require some consideration. It seems clear that such a measure would, in such case, be highly desirable, and that it would be the best, if not the only way, of effectually counteracting the bad consequences which might result from the entrance of the Russians into Turkey; but if that movement were to be effected against a vigorous resistance on the part of the Turkish forts in the Dardanelles, it would be difficult to accomplish it, unless the fleet were accompanied by some force which could be landed to carry the forts by taking them in the rear. This operation would not be difficult, and would not require any large amount of force; for though the batteries are formidable against ships, on account of

the narrowness of the channel, the strength of the current, which sets downwards towards the Mediterranean, and because at this time of year the wind sets chiefly the same way as the current, yet those forts are weak on the land side, and might be taken one after the other, by any moderate force which attacked them in the rear.

It is probable, however, that if the Turkish troops were defeated, and if the Russians had entered Turkey, the sultan would cheerfully permit, if he did not actually invite, the British and French squadrons to go up to Constantinople; and as those squadrons would come as friends to protect the sultan, and not as enemies to attack him, it would be difficult for the Russians to suggest to him a plausible reason for refusing to receive such protection.

I am, &c.

(Signed) PALMERSTON.

SUBSTANCE OF PROPOSED INSTRUCTIONS TO SIR ROBERT STOPFORD.

The admiral to proceed with the ships under his command to the Bay of Scanderoon, or to any other neighbouring part of the coast of Syria which may be near to the places where the armies of the sultan and of Mehemet Ali may happen to be.

If on his arrival off the coast he should find hostilities have not commenced, and that, on the contrary, the two armies have made retrograde movements, and that there is no likelihood of collision, he will then proceed in the execution of such other orders as he may have received from the Admiralty.

If he should find that, although hostilities had not actually commenced, the two armies, nevertheless, were near to each other, and continued to occupy positions likely to lead to collision, the admiral should immediately open a communication with the commander of each army, in doing which he will be assisted by the British consuls on the coast; and the best step to take for this purpose would probably be, to send to the general of each army an officer, accompanied by a competent interpreter.

The admiral should earnestly request each general to withdraw his troops some days' march from their actual position, in order to widen the distance between the two armies, and thus to give a security that no collision should take place to interfere with the efforts of the allied powers to effect by negotiation, a permanent settlement between the sultan and his vassal. If the generals should either or both of them refuse to comply with this request, the admiral should dispatch a ship of war to Constantinople or Alexandria, or to both, as the case might be, to urge the superior authorities to send the necessary orders; and he should express to the generals the confident and well-founded expectation of the British government, that they should suspend all forward movements till they should hear from their respective governments; and he should impress upon them the deep responsibility which they would incur by any hasty and inconsiderate step.

If on his arrival off the coast he should find that hostilities had already commenced, he should, as in the former supposed case, imme-

diately open a communication with the generals commanding the contending armies, and state to them that he has been specially sent by the British government to propose and strongly to press upon them a suspension of arms. That the British government in concert and in co-operation with her majesty's allies, is going to endeavour to bring about, by negotiation, an amicable and a mutually satisfactory arrangement between the sultan and the pasha of Egypt; and that it is of great importance, for the success of such negotiation, that the hostilities between the two armies should be suspended while that negotiation is going on; that the views of the powers with respect to these arrangements must be founded upon an enlarged consideration of the great interests of Europe; and that, consequently, those views could not be altered by any events which a continuance of hostilities might produce; and that such a continuance of hostilities, therefore, would only cause a useless effusion of blood, without being attended with any permanent advantage to either party; because the final settlement will depend, not upon the chances of the campaign in Syria, but upon the negotiations between the great powers and the contending parties.

If the two generals should accede to the proposed suspension of arms, the admiral will immediately send off a report thereof to Constantinople and Alexandria, and also, by the shortest way, to England; and he will, at the same time, urgently request the two generals to withdraw their armies to a certain distance from each other, so as to leave a sufficient space between their respective troops.

It will also be desirable that the armistice should be confirmed by a formal military convention, and that its duration should be without any definite limit of time, and that a month's notice should be required before it could be put an end to by either party.

If either or both of the generals should refuse to accede to this armistice, the admiral should, as in the former supposed case, send off to Constantinople, or to Alexandria, or to both, to urge through the ambassador at Constantinople, and through the consul-general at Alexandria, that the requisite orders might be sent to the generals in Syria, to agree to the suspension of arms.

If the refusal shall come from the Turkish general, it will, for many reasons, political and physical, be difficult for the admiral to employ any other means than those of persuasion, to procure the consent of the sultan; for to say nothing of the position in which her majesty stands towards the sultan, who is her majesty's ally, and who is also the acknowledged and undoubtedly the rightful sovereign of the territory which is the cause of dispute, it is to be borne in mind that the operations of the sultan's army do not depend upon any communication by sea between Constantinople and the scene of operations, and that it would not be easy for the squadron to force its way up to Constantinople for the purpose of supporting by its presence, the representations of her majesty's ambassador.

But in such case, the admiral would strongly point out to the Turkish commander how uncertain are the chances of war, and how great and fearful his responsibility would be, if, after he had refused

an honourable armistice, when proposed to him by an ally of his master, for the express purpose of negotiation, any unforeseen disaster should befall his army; and if, instead of finding himself under the security of an armistice at the head of a strong and unbroken force, he were to be compelled to retreat with a defeated army, and be pursued by a victorious enemy; and if he should thus bring upon his country the most serious calamities through hostilities, the continuance of which he had himself insisted upon.

If, on the contrary, the refusal should proceed from the general commanding the troops of Mehemet Ali, geographical circumstances would enable the admiral to employ more effectual means to accomplish his purpose; because the Egyptian army could not well carry on its military operations in Syria without a free communication by sea with Egypt; and because the squadron, by going to Alexandria, could exert a powerful influence in support of the representations which the consul-general might make to she pasha of Egypt.

In such case, therefore, the admiral would employ towards the general commanding the troops of Mehemet Ali in Syria, all the arguments which have been pointed out as applicable to the general of the sultan; but the admiral would further proceed to employ all the means at his command to produce compliance with his request.

For this purpose, he would, in the first place, prevent all further communication by Egyptian vessels, whether of commerce or of war, between Syria and Egypt; he would turn away all Egyptian ships of war, and would send all Egyptian transports and merchantmen to Malta, or to any other place, where they might be held for a time in safe custody. He would then leave on the coast of Syria such ships of war as he might think necessary for this purpose, and would proceed with the rest of his force to Alexandria, and would lose no time in earnestly pressing Mehemet Ali to send to Syria, in a British ship of war, positive orders for an immediate suspension of hostilities. If Mehemet Ali should comply with this request, all vessels which might have been detained should immediately be released; but the admiral should remain off Alexandria with his squadron, till he had learnt that the order had actually been obeyed, and he might then return to the coast of Syria, to watch events, or might remain off Alexandria, according to his discretion under the then existing circumstances.

If the pasha should refuse to give the order, the admiral should then employ such means of pressure, gradually increasing in their stringency, as he may find necessary, or may think best calculated to accomplish the desired result.

Among the measures to which he might resort, would be a refusal to permit the Egyptian fleet either to come out, if in port, or to go in, if out of port; and he might detain all Egyptian merchantmen, and, according to his discretion, any Egyptian ships of war.

But it might happen that the army of the sultan might have suffered a great defeat, and that measures of extreme vigour might become necessary to stay the advance of the Egyptians, and to save the Turkish empire. In this

case, the admiral would be authorized to have recourse to any measures of compulsion which he might think to be within his means, and which he might consider likely to induce the pasha to give the necessary orders for stopping the advance of his army, and for bringing it back within the limits of Syria.

In such an event, it is also possible that a Russian force, either naval or military, might enter the ports and territory of Turkey with the professed object of protecting the sultan, and of repelling the Egyptian invaders.

In such a case, and after the admiral had obtained from the pasha the order for the retreat of his troops, and after he had received certain information that such order had been obeyed, it would be extremely desirable that the British squadron should proceed to Constantinople, and should remain there, or in the Black Sea, until the Russian forces had evacuated the Turkish territory.

There would be time for the admiral to communicate on this matter with her majesty's ambassador at Constantinople, for the purpose of ascertaining in what manner this measure could best be executed; and having stated to the admiral their opinion on this point, her majesty's government must leave it to his discretion, to determine whether, in the event of permission to pass not being granted, the force under his command would be strong enough to force the passage without sustaining such an amount of loss in men, and of damage to the ships, as would cripple the squadron and unfit it for any useful operation after the passage had been effected.

If the Turkish and Egyptian squadrons should be at sea, the admiral should endeavour, as far as he could, consistently with the execution of the foregoing instructions, to prevent a collision between them, by interposing his squadron in a friendly manner between the other two fleets, and by urging the respective admirals to retire to their own ports. But the first and most important object is to prevent or to put an end to hostilities by land, because it is the contest by land, much more than a conflict between the squadrons by sea, that might lead to consequences disastrous to the Turkish empire and fatal to the peace of Europe.

These instructions have been prepared with the view of providing for all the cases which can at present be foreseen; but unexpected circumstances may arise, and different measures may be required; the admiral, therefore, should use his discretion in departing, if he should think fit, from the letter of these instructions, provided he adheres to their spirit.

Orders of a similar nature to these, have been given to the French squadron in the Mediterranean; and that squadron will be instructed to join and co-operate with Sir Robert Stopford's. The most perfect understanding has been established between the British and French governments upon the great and important matters to which these instructions relate. The interests of the two countries on these affairs are the same, their views and objects are identical, and their measures will be uniform.

The admiral will, therefore, communicate, concert, and co-operate with the French admiral, with the utmost confidence and

frankness, upon all matters connected with the execution of these instructions, which he will show *in extenso* to the French admiral; and her majesty's government cannot doubt that the same harmony which exists between the two governments will prevail between their admirals and squadrons.

COUNT NESSELRODE TO COUNT POZZO DI BORGO.—(COMMUNICATED BY M DE KISSELEFF, JUNE 27, 1839.)

St. Petersburg, June 3 (15) 1839.

SIR,—The last despatches from Constantinople of the $\frac{17}{29}$ May, and from Alexandria of the $\frac{3}{15}$ May apprize us that the Ottoman and Egyptian troops had approached so near to each other that a conflict between them appeared imminent. This supposition seems to us the more probable, because the movement of Hafiz pasha upon Bir, situated at the extremity of the frontiers of Syria, appears to indicate that it entered really into the views of the sultan all the while declaring his pacific intentions, to cause the army of the Taurus to advance to such a point as to render a conflict inevitable, by attributing it to some chance circumstance, without the Porte appearing to have given any provocation for it.

M. de Bouténeff, at the date of his last reports, was continuing to employ all his efforts to dissuade the sultan from the notion of precipitating himself into a struggle, the consequences of which might become so serious to the repose of the Ottoman empire. It may be that the remonstrances of our minister, joined to those of his colleagues, have succeeded in preventing a complication which seemed at hand. In this case, the danger which appeared to threaten the repose of the east will have once again been averted; in the same manner as it was just a year ago, thanks to the unanimity which then presided at the determinations of the Great Powers of Europe.

But it is also possible that events may have now proceeded with too great rapidity for the efforts of the Allied Representatives to have succeeded in arresting the execution of a plan of aggression, which the Porte appears to have meditated for a long time, and which it has contrived to veil in the most profound mystery.

At the distance at which we are from the scene of events, the remonstrances which we might now address to the Porte would certainly be somewhat late; we should be unable to prevent a struggle, which is perhaps at the present moment already begun. There remains but one task to us to fulfil, that is, to confine this struggle within the narrowest possible bounds, so that it may not compromise the maintenance of the general repose of Europe.

I will explain this idea clearly, and recapitulate in a few words the practical consequences which attach to it.

The real danger for Europe at large is not in a combat carried on in Syria between the troops of the Sultan and those of the Pasha of Egypt.

Neither would there be danger to Europe if the sultan succeeded in reconquering Syria, as he wishes and hopes to do. The danger would not begin to become serious

until, in the event of the fate of arms, declaring against the sultan, the pasha of Egypt should profit by this advantage to place the safety of Constantinople and the existence of the Ottoman Empire in peril.

That would be the true and only danger for the continuance of general peace, for from the moment that Constantinople should be threatened, the question would cease to be considered simply as one between the Porte and Egypt. There would no longer be question of a struggle between two Mussulman forces,—there would be question of a European complication, which from that moment would appear to us to be imminent.

To prevent things reaching such a point, it is of consequence to take measures in time for confining the struggle between the sultan and Mehemet Ali within certain limits, in order that this struggle may in no case extend itself so as to compromise the safety of the capital of the Ottoman Empire.

With this view it has appeared to us essential to come to an understanding, frankly, with the Great Powers of Europe, who, equally with us, have at heart to prevent the danger which we have just pointed out. Among those Powers great Britain is incontestably the one that can exercise the greatest influence over the fate of this question, and can co-operate in the most decisive manner in realising the pacific intentions of our august master.

With this conviction his majesty desires you, Sir, to come to an explanation with the British cabinet on this subject, without the least reserve. Have the goodness to submit to that cabinet, that it is as much for its interest as for ours, to take care that the struggle between the Porte and Egypt shall not assume so serious a character as may ever place the safety of the capital of the Ottoman Empire in danger;

That in order to avoid such a catastrophe, we should be prepared, 1st. To prevent the fleet of the pasha of Egypt from coming out of port; 2ndly. Not to allow the Egyptian army, if it met with decided successes as was the case in 1833, to advance, as at that period to the centre of Asia Minor, even to the gates of Constantinople;

That, consequently, in order before hand, to set due bounds to the action of the pasha of Egypt —bounds clearly defined which he is not to be permitted to transgress with impunity—it would be necessary to declare to him in the most formal manner, "That as long as he shall confine himself to the defence of the territories which have been assigned to him by the arrangement of Kutaya; as long as he shall not extend his military operations beyond the district of Diarbekir and Orfa, as he has formally promised to the Allied Consuls, so long will Great Britain in conjunction with the other Powers of Europe, remain a passive spectator of the struggle which is going on in Syria; but that from the instant he shall act on the offensive, from the moment that he shall extend the theatre of war beyond the defiles of the Taurus in order to carry it into the centre of Asia Minor, from that moment England would consider such act of hostility as if it were directed against herself, and would thenceforward act as if she

were at open war with the pasha of Egypt;

"That in the same manner she would consider herself in a state of war with him, if he attempted to send out his fleet to enter upon a naval contest with the sultan; the formal intention of England being to confine the contest within the limits of Syria, and not to permit it, under any pretence, to pass those limits, fixed irrevocably by the general interest of Europe, which desires that the peace of the east may be promptly re-established, and that the present struggle, whatever may be the chances of the war, shall in no manner place the tranquillity of the Ottoman Empire in jeopardy."

If England came to an agreement with us to issue a declaration couched in these terms, the emperor would authorize his representative at Alexandria to hold precisely the same language.

The other allied courts would doubtless hasten to unite their efforts to those of Russia and of England.

The harmony which would thus preside over the determinations of the Five Powers, might once again preserve Europe from the misfortune of a general conflagration in the Levant, by confining, as it might be said, the two adversaries in closed lists, compelling them to settle their quarrel in Syria, without permitting them to engage on a wider field, from which it is the general interest of Europe to keep them off in spite of themselves.

If we succeed in obtaining the result which I have described, if the English government accepts the ideas which your excellency is directed to communicate to it; if we thus prevent the fleet of Mehemet Ali from coming out of his ports; and if we forbid his army from crossing the Taurus, under penalty of finding himself at war with the whole of Europe, we shall have obtained all that is necessary to prevent a serious complication in the Levant.

Above all things, we must be able to bring the matter within our control, that is to say, prevent the struggle from becoming threatening to the repose of all Europe.

When once we shall have attained this end, circumstances will simplify themselves of their own accord; a more mature judgment can then be formed as to the issue of the combat, and as to what the ulterior arrangements which may be made between the two parties ought to be, in order to re-establish the pacific relations of the Porte with the pasha of Egypt upon a solid and durable basis.

For the moment, we must confine ourselves to what is most pressing, that is to say, to guard against the ill-advised policy of the sultan dragging us into a complication of a nature to bring on a chance of a European conflict.

It is this danger which we are interested in removing with all our endeavours; and it is with this view that we have thought it indispensable to come to a frank explanation with England, by taking in London the step of which by the emperor's orders, I have pointed out to you the plan and the object. It will prove to the British ministry that, far from wishing to bring about a complication in the Levant, we are using all our care to prevent one; and that, instead of greedily availing ourselves of the stipulations of our Treaty of alliance with the Porte,

we are ourselves the first to desire to prevent the recurrence of a crisis which would compel us in spite of ourselves, again to take up a military attitude on the shores of the Bosphorus.

The certainty which England will thereby acquire of our truly conservative intentions, cannot fail to exercise a salutary influence over the disposition of the cabinet of London. It will, I hope, appreciate the sincerity of the sentiments which has dictated the step which you are about to take. have the goodness, Sir, not to delay a moment in informing us of the reception it meets with from lord Palmerston. The emperor flatters himself, that this reception will fully answer our wishes, and that the understanding which will be established between the English cabinet and our own for the preservation of the peace of the Levant, will serve speedily to re-establish it, even if the short-sighted policy of the Divan should have attempted momentarily to disturb it.

Acccept, &c.,
(Signed) NESSELRODE.

BRIEF SUMMARY OF TWO INTERVIEWS WHICH TOOK PLACE BETWEEN THE PASHA OF EGYPT, AND THE CONSULS-GENERAL OF THE FOUR GREAT COURTS.

On the 14th of July, towards 5 o'clock in the evening, the Turkish fleet, with the capudan pasha on board, appeared in sight of Alexandria. Upon this being known, the consuls-general of Austria, England, and Russia repaired to the viceroy, in order to exhort him not to allow himself to adopt any inconsiderate measure, and to obtain from his highness some tranquillizing promises with respect to his future conduct. The consul-general of France, being kept at home by indisposition, had requested his colleagues to speak in his name. This meeting, moreover, was only to be a prelude to the general meeting fixed for the ensuing day.

We began by representing to the viceroy how groundless were the accusations which, with the view of giving a colour to and justifying his defection, Achmet Pasha had brought against Hosrew and Halil Pasha, particularly the reports spread abroad respecting the poisoning of sultan Mahmoud so, little in conformity with the depositions of the European doctors who had attended his highness during the course of his illness.

Passing then to the present position of affairs, we told him that the representatives of the great powers, with the view of avoiding armed intervention to the last moment, and desiring the peaceable solution of the Eastern question, seriously entreated him to come to an amicable arrangement with the sultan; that his highness had already given him a striking proof of his magnanimity by granting him the hereditary government of Egypt; that it was now the pasha's turn to give a proof of good will and submission towards his sovereign, and to accelerate the peaceful solution of this struggle. That for this purpose the immediate restitution of the fleet would be the most evident pledge of his good faith.

Mehemet Ali replied to us: "I do not pretend to exculpate Achmet pasha; his assertions may in-

deed not be well-founded; and I dare say that all that he has written to me ought rather to be attributed to the hatred with which Hosrew pasha inspires him. As to the concession made by the sultan, I do not consider it as a mark of generosity on his part, but as an act of necessity. As long as Hosrew pasha shall be at the head of affairs I must mistrust all his assertions, and I cannot reckon upon a sincere reconciliation. I must therefore aim at something positive, and not content myself with promises and oaths. How could I put faith in Hosrew, who is my mortal foe?

We represented to his highness, that he was too experienced in business to allow himself to be duped; that the written promises of the sultan sheltered him from the artifices of the grand vizier; that it was his interest not to excite disorders at Constantinople, which might easily spring up upon the news of the loss of the Turkish army, of the defection of the fleet, and of the uncertainty which was felt respecting the attitude of the viceroy. That the best method of re-establishing the security of the capital would be to restore the fleet to his highness, to send to Constantinople without delay some person, charged to make in his name his submission to the grand signor, and to lay before him the wishes of his highness. That Achmet pasha, having quitted the Dardanelles, after having received the order to proceed with the fleet to Constantinople, had committed an act of high treason; and that the representatives of the great courts felt repugnance to believe that he was willing to make himself an accomplice of the Capudan pasha by accepting the fleet at his hands.

Here the pasha loudly protested against such an argument, alleging that, in time of war, it was permitted to receive deserters. We replied to him, that the defection of Achmet pasha had taken place after the sending of the grand vizier's letter, which announced, in the name of the sultan Abdul Medjid, the oblivion of the past, the forwarding of the firman, and the grant of the inheritance of Egypt; that, moreover, the viceroy had himself looked upon peace as re-established, since he had given orders to his son Ibrahim pasha, upon the receipt of the grand vizier's letter, to retire with his troops on this side of the Euphrates.

"Yes," answered Mehemet Ali, "I am no longer in hostility with the sultan, who, as I have already told you, is innocent and pure as a diamond; but I am at war with his ministers, who have not been named by the voice of the nation, and who by means of intrigues have usurped the chief posts of the country, and now pretend to dictate the law."

To this reasoning of the pasha, we replied, that according to the knowledge which we possessed of persons at Constantinople, Hosrew pasha appeared to us to be the only man capable of directing affairs at such a critical moment as a change of reign in Turkey always was; that the wishes of the nation went for nothing in this; that it had never been consulted, and that therefore it was difficult to know its opinion; that above all things it was important to overawe the people at a critical moment; and that the history of the Ottoman empire in general, afforded us an

example, that the accession of a sultan to the throne had never taken place without a shock, without shedding of blood, and without a change of ministry.

The conversation turned for some time longer upon the character and the capacity of the different great dignitaries of Turkey, and upon the changes which, according to the pasha, would be favourable to the consolidation of the present government. Then having taken a few turns up and down the room, the viceroy proceeded:—

"It is not my intention for the present to send an officer to Constantinople to compliment the sultan on his accession to the throne, but I beg you to transmit to the representatives of the four great powers at the Ottoman Porte, the following declaration, namely:—

"That in two days Akiff Effendi will set out again for Constantinople. He will be the bearer of a letter of congratulation and of submission from me, to the new sultan Abdul Medjid. I shall also write a letter to Hosrew pasha, in which I shall represent to him:—1st. That the late sultan Mahmoud made to me at one time, through the medium of Sarim Effendi, much more advantageous proposals than those which his highness has now addressed to me, since he then proposed to me the hereditary government of Egypt, as well as that of the district of Seyda, and of the Sandjack of Tripoli. 2ndly. That, under present circumstances, I ask for the hereditary government of Egypt, with that of Syria and of Candia, that is to say, of all that I now possess, as I had previously announced. 3rdly. That on this condition, if I am treated with good faith, I will be the most faithful of the servants and vassals of his highness, and I will defend him whenever and against whomsoever he may wish.

"It is in this sense that I propose to write to Constantinople. I shall not mention the fleet in my letter to the grand vizier, from a feeling of propriety, but I beg you to have the goodness to assure the ambassadors and ministers, that I have never had the intention of keeping it, or of making use of it for a hostile purpose against the sultan; on the contrary, I formally engage to restore it, the moment my proposals shall have been accepted. In this case, all the vessels composing the squadron of his highness, to the very last, shrll be sent back to Constantinople. As for the Ottoman admirals, those who may fear to return to Turkey, may remain in Egypt, which forms a part of the same monarchy. If once the sultan agrees to my prayer, and Hosrew pasha shall have been removed from the direction of affairs, I shall not hesitate to proceed to Constantinople on the first invitation of his highness, and it will not be with the squadron that I shall go thither, but alone in a steamer, and with the sole object of presenting my homage in person to my sovereign and offering him my services.

"Finally I declare to you, that if my proposals are not accepted, I will not make war, but I will maintain myself in my present position, and I will wait."

Thus ended our first conversation with Mehemet Ali.

Our second meeting, fixed in the first instance for the ensuing morning, was afterwards put off to the afternoon, on account of the landing of Achmet pasha, who was received the same day by the viceroy.

Two hours before sunset, the four consuls-general of Austria, England, France, and Russia, proceeded simultaneously to the pasha. In this interview renewed endeavours were made to induce Mehemet Ali to give up the fleet forthwith, and to restore it to its lawful owner; but here, again, our representations were entirely thrown away.

He declared his conservative intentions; recapitulated afresh the declaration which he had made to us the evening before; modified in some degree the expressions contained in it, and endeavoured above all to convince us of the necessity for the fall of Hosrew pasha.

On this subject he said, "As long as the grand vizier remains in office, there will be no real reconciliation between the sultan and me. Let his highness name whom he will grand vizier, and I will be the first to co-operate for the consolidation of his throne. I do not aspire to that post myself, for I should refuse it if it were offered to me; but I ardently wish for the removal of a man who is detested by the whole nation, and who avails himself of any means, even the sword and poison, to attain his end. So long as the representatives of the four great cabinets support Hosrew pasha, he may remain in office, but the day that he ceases to enjoy their protection he will fall. If at this moment tranquillity is not threatened at Constantinople, it is owing to the support of the great powers. Let Hosrew retire, and tranquility will be preserved in the capital without their co-operation. I have just written a private letter to the grand vizier, in which I advise him to retire from affairs, and to tender his resignation. This letter will be given to Akiff Effendi, whom I despatch to Constantinople to-morrow. By the next French steamer I shall write to the same effect to the sister of sultan Mahmoud, and the validé sultana; for, if I send them my letters by Akiff Effendi, Hosrew pasha is capable of withholding them.

Before leaving the viceroy, he requested us to take advantage of the departure of the Turkish steamer for Constantinople, to send our reports to our respective ministers.

COUNT NESSELRODE TO M. DE KISSELEFF.—(COMMUNICATED BY M. KISSELEFF, AUG. 8.)

St. Petersburg, July 15 (27) 1839.

Sir,—By my messenger of the 8th of this month, I communicated to you the despatch from lord Palmerston, with a copy of which the marquess of Clanricarde was directed to furnish me, in reply to our late overtures on the affairs of Egypt.

I informed you, Sir, that I should not delay to transmit to you the reply which the emperor might direct me to make to this communication.

In fulfilling this duty to-day, I have to request you in the first place to express to lord Palmerston how glad the emperor is to acknowledge the friendly reception given by the British government to our propositions of the 3rd of June last, the object of which was to secure the peace of the Levant, by confining the action of the

pasha of Egypt to limits which he would not be allowed to pass without placing himself in a state of hostility with all Europe.

We congratulate ourselves sincerely that our ideas on this important question should have so completely coincided with those of the English cabinet.

The government of her Britannic majesty has, in fact, as well as we ourselves, been convinced of the indispensable necessity of applying ourselves in the first instance to what was most urgent, by bringing matters within our control, that is to say, preventing the struggle between the sultan and the pasha of Egypt, from becoming dangerous to the security of the Ottoman empire. It is to avert this danger that our efforts, as well as the decisive steps which England and France have considered it necessary to take at Alexandria, have been directed.

The remonstrances which the representatives of the allied cabinets have been called upon to make to Mehemet Ali, have completely answered our expectations. Ibrahim pasha has received orders to stop the march of his troops. Hostilities, thanks to the unanimity of the efforts made by the cabinets of Europe for their repression, have been suspended.

This primary object once attained, the great powers have still a task of not less importance to perform: that of henceforth consolidating the repose of the East by means of a pacific arrangement between the porte and the pasha.

We entirely coincide in the opinion which lord Palmerston has pronounced as to the necessity of such an arrangement. You are already aware, Sir, that our august master hastened to give his assent to the bases of this pacification as proposed in the first instance by the court of Vienna. They do not essentially differ from those contemplated by the English government. According to prince Metternich's plan, the porte would resume possession of Syria, either during Mehemet Ali's life-time or after his death. According to lord Palmerston's opinion, the immediate giving up of Syria should be considered as the absolute condition of any lasting arrangement between the porte and Egypt.

As far as we are concerned, we shall not hesitate, Sir, to accede to either one or the other of these combinations, provided it shall have been freely adopted by the porte itself. This condition forms in our opinion the basis of any arrangement in which our august master should be called upon to take a part. This is the only point in which our opinions appear to differ from those expressed in lord Palmerston's despatch of the 9th of July. According to the view taken of this matter by the British minister, "it would be for the five powers in the first instance to communicate to each other their opinions with respect to the definitive arrangement to be concluded between Turkey and Egypt; and it would be as a consequence of such communication of ideas, that the opinion of the five powers would have to be announced to the two parties, by means of their representatives at Constantinople, and at Alexandria; and thus the repugnance which either one or the other of the two parties might from the commencement have evinced with regard to the arrangement which might have been pro-

posed to them, would finally be overcome."

This plan of action, which would establish an entire parity between the sultan and the pasha, would not, according to our opinion, be without inconveniences, inasmuch as it would admit as a possible contingency that we should have to combat and conquer a resistance opposed to us by the sultan, whereas it is solely in his favour and with his consent, that a European intervention, having for its object to strengthen the existence of the Ottoman empire, can legitimately take place.

In order, consequently, to remain true to the principle of conservation which forms the basis of the policy of the five courts as regards the affairs of the East, and not to run the risk of finding ourselves opposed to the views of the Ottoman government, it would appear to us preferable to commence, in the first place, by ascertaining whether the plan of pacification projected by the allied cabinets is really of a nature to obtain the assent of the sultan. It is not till after the cabinets of Europe shall have acquired the certainty of a complete and willing accession on the part of that sovereign, that they will be able to come to an ulterior understanding as to the measures to be adopted in common, in order to impose upon the pasha of Egypt the conditions of arrangement freely agreed to by the porte.

Such are the reflections which we were on the point of communicating to lord Palmerston in reply to his despatch of the 9th of July, when despatches from Constantinople, dated 24th June and 6th July, (of which I sent you the abstract by my last courier) made us acquainted with the determination which the divan has thought it necessary to take in order to bring the Egyptian affair to a speedy and decisive solution.

These determinations, dictated by a genuine spirit of conciliation and wisdom, simplify greatly the question, the solution of which the allied cabinets have at heart. The porte, induced by a just appreciation of its true interests, has anticipated the propositions which the five powers were on the point of making to it. It has taken the lead in regard to the steps which it was proposed to take at Alexandria. It has resolved to offer to Mehemet Ali the inheritance of Egypt in return for the cession of Syria. Finally it has called together in conference the representatives of the allied cabinets, for the purpose of announcing these resolutions to them, and of requesting their moral support to the offers of arrangement which it had made to the pasha.

The basis of negotiation has thus been laid down by the porte itself. It has of its own accord opened the deliberation, and has virtually fixed its locality at Constantinople, the only place where it was fitting that interests, having direct reference to the future fate of the Ottoman empire, should be discussed.

It is our duty, now that this important deliberation has been opened under the most favourable auspices with the sanction of the porte, and with the unanimous consent of the representatives of the allied powers, calmly to await the replies which the pasha shall make to the propositions which he has received on the part of the porte.

Three possible contingencies here occur to us :—

1. Mehemet Ali may wholly and simply accede to the offers that have been made to him : in that case all difficulties will of themselves be removed.

2. Mehemet Ali may, without absolutely rejecting the terms of the proposed arrangement, endeavour to obtain more favourable conditions from the porte. In this case, a negotiation between the two parties will be opened at Constantinople ; and it will then be for the representatives of the allied cabinets to lend their good offices whenever the divan shall see occasion for them. Lastly—

3. Mehemet Ali may obstinately refuse all reconciliation with the porte. If, contrary to our expectation, this latter supposition should turn out true, the divan may consider itself justified in having recourse to the allied representatives for support, in order to overcome the resistance of the pasha ; in such case we should think it right and necessary that the great powers should unite their efforts to compel the pasha of Egypt to agree to an equitable arrangement, which shall have obtained at once the sanction of the porte, as well as the concurrence of all the powers of Europe.

This, Sir, is the course which to us appears to be the most simple and the most certain to lead to a satisfactory termination of the unfortunate difference which has for a long time placed the security of the Ottoman empire in danger, and has kept the peace of Europe in suspense.

The emperor directs you, Sir, to bring the whole of the considerations embodied in this despatch to the knowledge of the English government. You will furnish lord Palmerston with a copy of the same, and you will express a hope, that the opinions of our cabinet contained in this despatch, will be received by the government of her Britannic majesty with the same satisfaction with which our august master has been pleased to receive the communication of which the marquess of Clanricarde was the channel.

Receive, &.

(Signed) Nesselrode.

Viscount Ponsonby to Viscount Palmerston (Received August 17.)

Therapia, July 26, 1839.

I expect that, long before this arrives in London, the settlement between Mehemet Ali and the Porte will have been made. The answer to be given to-morrow to the demands of the pasha of Egypt may not be satisfactory to him : but I think that either the pasha will insist upon his demands, and the porte will yield to them, or the pasha will take what is offered, and defer exacting the full measure until after he shall have completely established his authority in Constantinople, which he will do with very little delay. Perhaps this latter mode of acting may be the best for him ; because the proceeding can be so managed that the grant will have the air and the form of an act springing spontaneously from the porte ; and as such it will be less subject to the criticism of foreign governments. I consider the Ottoman empire to

be delivered over to Mehemet Ali.

In the absence of instructions to direct my conduct, I remain passive, after having taken those steps (reported in my late despatches) which were intended to delay any settlement that should not be in concurrence with the interests and counsels of England and France.

Her majesty's government has learned from colonel Campbell the demands made by Mehemet Ali. I am informed, and I think correctly in substance, that the answer to be given by the porte is, "The hereditary government of Egypt to be granted to Mehemet Ali, and the government of Syria to be granted to Ibrahim pasha till the death of Mehemet Ali, when the government of Syria is to be again at the disposal of the porte."

This answer given by the porte would be inconsistent with the promises made to me by the grand vizier.

VISCOUNT PONSONBY TO VISCOUNT PALMERSTON.—(RECEIVED. AUGUST 17.)

Therapia, July 29, 1839.

I inclose copy of a collective note signed by the representatives of Austria, France, Prussia, and Russia, and myself, on the 27th inst.

The note was yesterday presented by the dragomans of the five powers to the Sublime Porte, and cheerfully and gratefully received by the grand vizier, on the 28th. I inclose dragoman Pisani's report to me of what took place on that occasion.

Baron Sturmer received prince Metternich's instructions on the morning of the 27th, and the note, signed, was ready in the evening. I beg leave to express with all humility my approbation of the activity and promptitude with which the baron acted; and I consider the measure to be the most salutary step that could have been taken. It was also most fortunately well-timed, for the Ottoman ministers had actually resolved upon concessions to the Egyptian pasha, which would have been at this moment on their way to Alexandria, and which would have mischievously complicated the affairs of this country. This measure has given force and courage to the grand vizier to resist the pasha, and to maintain the rights and interests of the sultan. It will also, I think, insure the tranquillity of the capital, and the security, therefore, of the foreign and Christian populations and inhabitants. It opens the road for all that may be considered right to be done by her majesty's government. It has placed her majesty's government in a position that enables it to secure the future integrity and independence of Turkey.

I fear the state of Asia Minor is very unsatisfactory, but it is natural that it should be so after the late events. It is not to be imagined that Mehemet Ali will neglect any means in his power to augment disorder everywhere, but he is himself the source of all the dangers and difficulties, and if he be forced to desist from pursuit of his ambitious plans, order will be easily restored. If her majesty's government will secure Constantinople against all attack, there will be no just cause for alarm from anything that can be done to disturb the peace or alter the balance

of power in Europe; but if that main object be neglected, there must be, eventually, a complete failure of all that is attempted to preserve the common interests, and to escape a war at some future, and probably not distant, period.

P. S.—I disclose a translated copy of the pasha of Egypt's letter to the grand vizier.

Collective Note of the Five Powers.

Constantinople, July 27, 1839.

The undersigned have received, this morning, from their respective governments instructions, in virtue whereof they have the honour to inform the Sublime Porte, that agreement among the five great powers on the question of the East is secured, and to invite it to suspend any definitive resolution without their concurrence, waiting for the effect of the interest which these powers feel for it.

(Signed) Ponsonby,
Ambassador of England.
Baron de Sturmer,
Internuncio of Austria.
Count Konigsmarck,
Minister of Prussia.
Baron Roussin,
Ambassador of France.
A. Bouteneff.
Minister of Russia.

M. Frederic Pisani to Viscount Ponsonby.

Pera, July 28, 1839.

My Lord,—I hasten to give your excellency an account of the mission to his excellency the moustechar Nouri Effendi, with which my colleagues, the dragomans of France, Austria, Prussia, and Russia, and myself were entrusted,—a result, as your excellency will see, extremely satisfactory.

We delivered to the moustechar the collective note relative to the Eastern question, signed yesterday by their excellencies the representatives of the great powers; presenting him, at the same time, with a Turkish translation of the said note. The moustechar having read the note, made some observations which showed that he was very well satisfied with it, and he went to show it to the grand vizier, who presently sent for us.

We found his highness with the moustechars Nouri Effendi and Sarim Effendi. His highness spoke in the most obliging terms of the kind offers of the great powers, and of their excellent dispositions towards the porte. We assured the ministers that the great powers, being deeply interested in the Eastern question, are resolved to bring it to a conclusion, having respect, at the same time, for the dignity of the Sublime Porte, and for the integrity of the Ottoman empire. It was impossible for the ministers to be better satisfied than they were with what we had said to them, and the grand vizier especially expressed all his gratitude, saying "See in truth, how governments ought to act towards other governments." Afterwards his highness said to us that the notification which we had just made to the Sublime Porte by an official note, signed by the representatives of the five great powers, rendered it no longer necessary to send Said Effendi to Alexandria; but that as it was necessary to make some reply to the answer of Mehemet Ali, sent by Akiff Effendi, he would write

to him, that immediately after the arrival of Akiff Effendi at Constantinople, the Sublime Porte had occupied itself with this affair, and was on the eve of taking a decision thereupon; but that the interpreters of the five great powers presented themselves to the porte with an official note, inviting it, in the name of the representatives of those powers, not to take any resolution without their concurrence, to which the porte could not but assent, in order not to be wanting in the consideration which the solicitude thus evinced by the great powers requires of it.

The grand vizier commissioned us, my lord, to request our respective ministers to write corresponding letters to the consuls at Alexandria; and we assured his highness, that the representatives would readily write to the same effect to the consuls.

The grand vizier and the two moustechars have decided, as a very proper course, that his highness's letter should be conveyed to Mehemet Ali by the capi kiaja, that is to say, the agent of that pasha at the porte, who will make the voyage in a steam-vessel of the Ottoman navy, which will start the day after to-morrow; and his highness expressed a desire, that in the same way as the capi kiaja is to deliver the vizirial letter to Mehemet Ali, so a person selected by the representatives should be appointed to proceed to Alexandria by the same opportunity, with their excellencies' despatches to the consuls.

We promised the grand vizier faithfully to make known to our respective ministers everything that his highness had said to us, and we withdrew.

I am, &c.,

(Signed) Frederic Pisani.

Count Nesselrode to Count Medem. (Communicated by M. de (Kisseleff, August 19, 1839.)

St. Petersburgh, July 25, (*August* 6,) 1839.

M. le Comte,—In the midst of the events which seem from day to day to aggravate more seriously the state of affairs of the Levant, the emperor has considered it necessary that his representatives should be exactly apprized, both of the opinion which he has formed of the present situation of the Ottoman empire, and of the resolutions which he has taken to counteract the dangers which threaten at the present time to compromise the peace of the east.

It is by the express order of our august master, that I make it my duty, M. le Comte, to acquaint you, in the most positive manner, with his thoughts and determinations.

The emperor feels conscious of having done all in his power to prevent a conflict between Turkey and Egypt. He addressed to sultan Mahmoud the most serious representations, in order to deter him from the idea of engaging in a struggle of which our august master foresaw the deplorable consequences.

The event has but too far realised our anticipations and justified our remonstrances. The action of the 13th (25th) of June, has destroyed the Turkish army. The treason of the Capudan pasha has

filled up the measure of the misfortunes which have marked the close of sultan Mahmoud's reign.

Notwithstanding so many disasters, his son Abdul Medjid has ascended the throne, without his accession being accompanied with those scenes of disorder and of trouble, of which the history of Turkey offers us such frequent examples. Far from this being the case, the latest reports from our minister at Constantinople attest, that the solemnity of the coronation has been accompanied by unanimous demonstrations of respect and of fidelity in the midst of that immense population of the capital of the Ottoman empire, the tranquillity of which has not been troubled for a single moment.

In this state of affairs, the emperor in no wise despairs of the safety of the porte, provided that the powers of Europe know how to respect its tranquillity, and that they do not by inopportune agitation end by unsettling, at the same time that they wish to consolidate it.

Few words will suffice, M. le Comte, to place before you our whole opinion in this respect.

The situation in which the porte finds itself at present, however difficult it may be, is not novel. During a long course of years, it has always committed the same faults, and experienced the same disasters. But, guided by a secret instinct for its own preservation, it has always known how to avoid the fatal moment which would bring on its fall.

At the present day, actuated by the same idea of preservation, it is on the eve of once more entering into an arrangement with Mehemet Ali. It has already caused to be made to him for this purpose offers of conciliation, which it has hastened to communicate to the representatives of the five great powers. Further, it has asked for their support at Alexandria, in order to persuade the pasha to accept the proposals which it has just made to him.

In this manner, the work which the cabinets of Europe are called upon to perform, has been clearly pointed out to them by the porte itself. They have to support its overtures at Alexandria; to prevail upon Mehemet Ali to accept them; not to allow him to impose more onerous conditions on the sultan; in one word, to place the pasha under the necessity of adopting the bases of a definitive arrangement which Europe is authorized to consider as stable, because it is an equitable one.

This, M. le Comte, is the work which the cabinets of Europe will have to perform. To attain this end, it is necessary that all their efforts should be concentrated at Alexandria. To direct their action towards Constantinople, would be to direct their efforts to the side from which the danger does not come. There, neither diplomatic agitation is necessary, nor the display of military force; tranquillity alone is wanting.

This conviction has dictated the resolutions of the emperor. In the midst of the general agitation which the crisis in the Levant has produced, he has experienced neither uneasiness nor impatience to act. He has made no demonstration; he has not sent to Constantinople a single ship, or a single soldier, in the firm persuasion that his inaction would do the porte more good than his army or his fleet could have done.

Such is the attitude which the emperor has taken.

Wherefore, if Russia, whose most direct interests are engaged in the present crisis, and whose frontiers are immediately adjacent to those of Turkey, appears at the present time to be neither uneasy, nor impatient to appear on the theatre of events, it seems to us, that much more can the powers, whose safety is in no way compromised, and who are separated by great distances from the Ottoman empire, adopt, without the least inconvenience, the same attitude, and moderate their action.

In this expectation, our august master flatters himself that the French government, guided by the policy full of foresight, which it has pursued up to this day, will not endeavour to complicate the situation of the Ottoman empire by a display of naval force, which, instead of preserving peace at Alexandria, would unsettle peace at Constantinople.

If, unfortunately, the hope which the emperor has reason to found upon the moderation of the French government, should not be realized; if the appearance of a foreign fleet in the sea of Marmora should come to aggravate the state of affairs at Constantinople; the course which Russia would have to pursue would not be doubtful. In the presence of a foreign fleet, the emperor's minister would formally protest against the flagrant violation of the principle of the closing the Dardanelles; a principle which the porte has at all times considered as a fundamental rule of its policy, and which it has engaged itself to us invariably to maintain; he would declare that he regarded this violation as contrary to the independence of the porte; he would immediately suspend his functions, and quit Constantinople. Then it would only remain for the emperor to take such measures as he might consider necessary to re-establish the porte in its entire independence, and to enable it to fulfil its engagements towards us, free from all foreign constraint.

Such, M. le Comte, would be the inevitable consequences of the appearance of a French squadron in the sea of Marmora.

As it is more than ever necessary that the cabinets of Europe should give an account to themselves of their relative positions, and that they should give proofs in this respect of the greatest sincerity towards one another, our cabinet has thought that it was its duty to give to the French government a clear and positive explanation of the steps which we should be obliged to take, in the event of the case of which I have just made mention ever being realized. In this case, the part which we should have to take, would not depend on our own free choice; it would be imposed on us by the exigencies of our policy, as well as by the most direct interests of our empire. A glance thrown upon the map will explain the difference which exists in this respect between the geographical position of Russia, and that of the western powers.

In fact, when a Russian squadron anchored in the Bosphorus in 1833, its presence could neither be considered as a threat directed against the French navy, nor as a blow struck at the commercial prosperity of Marseilles. But if, at the present moment, a French squadron should make its appearance at Constantinople, its presence

would react directly upon Odessa and Sevastopol.

The French ministry is too enlightened and too just not to acknowledge the difference of position which I have just pointed out. In 1833 we protected the porte without offering any affront to the western powers. In 1839, the foreign squadrons, without protecting the porte, would come to insult Russia.

It is sufficient for us to have clearly established this distinction, which dispenses us from entering upon this subject in fuller particulars. Besides, our intention now is not to provoke any discussion whatever with respect to a contingency, which we hope will not be realised; our desire is simply to enable the French cabinet to comprehend fully the intentions and the interests which serve as a rule for the policy of Russia. Mutually to clear up the position of the cabinets, is incontestably the surest means of maintaining the perfect agreement so happily established among them; a union desirable, because it contains in itself, as the duke of Dalmatia in one of his recent communications has so well observed, the most solid guarantee for re-assuring the friends of peace.

It is in this spirit of conciliation and of perfect concord, that you are authorized to make to the president of the council the communication contained in the present dispatch, which you will have the goodness to read to him, and of which you will give him a copy.

Receive, &c.

(Signed) NESSELRODE.

VISCOUNT PALMERSTON TO MR. BULWER.

Foreign Office, Aug. 20, 1839.

Sir,—I have to instruct you to state to the French government, with reference to the communications which have passed between the two governments, about the measures to be taken for restoring to the sultan the Turkish fleet, that in the opinion of her majesty's government, the collective note presented to the porte, on the 28th ultimo, by the representatives of the five powers, affords a strong reason to great Britain and France for pursuing a different course on this important matter from that which they had before contemplated.

The governments of England and France are friends and allies of the sultan, and have spontaneously and formally declared their determination to uphold the independence and integrity of the Turkish empire under its present dynasty, and to oppose themselves to any combination which might be calculated to trench upon that integrity and independence. But it is manifest, that Mehemet Ali, by retaining the Turkish fleet, avowedly as a means of extorting from the sultan the concession of certain demands, does openly attack the independent political action of the sultan, and does, by a combination with the traitorous commander of the Turkish fleet, endeavour to possess himself of the means of destroying the integrity of the Turkish empire. Her majesty's government is therefore of opinion, that the governments of France and England are bound, no less by a regard for their recent declarations, and a respect for their

own honour, than by considerations of sound policy, to compel Mehemet Ali to give back to his own lawful sovereign the ships of that sovereign, which he now, in violation of every principle of duty and good faith, persists in retaining for purposes hostile to that sovereign. But as the five powers have now, by the note of the 27th ultimo, placed themselves collectively in the situation of mediators between the sultan and Mehemet Ali, it is the opinion of her majesty's government, that all further steps in this matter ought to be taken, if possible, collectively by the five; and that the decision as to such steps should emanate from Vienna, which is the central point of the negotiation, instead of from London or Paris.

Her majesty's government, therefore, are about to send immediately instructions to lord Beauvale, to propose to the representatives of the other four powers the steps which, under all circumstances, appear to her majesty's government the fittest to be taken with respect to the Turkish fleet; and to state to the representatives of those powers, that it is the opinion of her majesty's government, that the restoration of that fleet by Mehemet Ali should be insisted upon as an indispensable preliminary to any negotiation whatever upon any other point.

The course which her majesty's government would propose for the attainment of this object is, that the consular agents of the five powers at Alexandria should be instructed by the ambassadors and ministers at Vienna, formally, and in a collective note, to demand from Mehemet Ali the immediate restitution of the Turkish ships, together with such of the officers and men as may be willing to return to their allegiance; that if this demand be complied with, the Turkish ships should be placed under the care and custody of the combined English, French, and Austrian squadron; the admirals of which would take care not to permit any of those Turkish ships to go up to Constantinople, without being first certain by communications with the Turkish government, that the fidelity of the officers and men could be relied upon, and that there would be no danger of their again revolting against the porte, in the event of their being sent back to Constantinople.

If any doubt should be entertained on this point, the ships should be kept at Rhodes or elsewhere outside of the Dardanelles, or they should be accompanied to Constantinople by some ships of the combined fleet; or else they should be sent back with merely officers and men enough to navigate them, and perhaps a guard belonging to the allies on board each ship.

The consular agents should have no power to negociate as to the surrender of the Turkish ships, nor to allow Mehemet Ali more than a stated period,—twenty-four or forty-eight hours, to give a decisive answer. They should make him aware, that, if that answer should be negatived, they would be obliged immediately to leave Alexandria; and if he should refuse to comply with the demand made, they ought at once, and altogether, to embark on board the fleet, and to go to Smyrna, or to any other place, from whence they might be able to return to Alexandria, if their departure should have the effect of obtaining compliance with their demands.

But it is possible that Mehemet Ali might still persist in retaining the Turkish ships, trusting that the allied powers would not follow up the recall of their consular agents by any ulterior measures; and in such case it is the opinion of her majesty's government, that the honour of the five powers, a regard to good faith on their part towards the sultan, and considerations of the highest importance connected with the great interests of Europe, require that further measures should be adopted. The measures which might, in the first instance, be resorted to, are:—

First, To prevent any vessel under the Egyptian flag from entering into, or coming out of, the port of Alexandria; and to enforce a similar measure with respect to the ports of Syria.

Secondly, to seize, detain, and hold in deposit, all merchant ships found anywhere under the Egyptian flag, either at sea or in any of the ports of Syria where they could be captured without any material difficulty.

Thirdly, to take possession of the Island of Candia, in the name of the sultan, and to re-establish the sultan's direct authority in that island.

Fourthly, to declare to Mehemet Ali, that the combined squadron will defend the Turkish empire against any attack on his part, as effectually as if it were a Turkish fleet.

Her majesty's government will give instructions to sir Robert Stopford to take any, or all, of these steps, if he shall be directed so to do by her majesty's ambassador at Vienna, as far as the force under his command may enable him to do so, either with, or without the co-operation of any one of the other squadrons, if the result of the communications which may take place between her majesty's ambassador at Vienna and his colleagues, should lead that ambassador to consider it expedient to do so; and you are instructed to invite the French government to send similar instructions and authority to their ambassador at Vienna, and to their admiral in the Mediterranean.

The French government will perceive, that the measures above proposed apply to the case of the Turkish ships being inside the harbour of Alexandria, and within the power of Mehemet Ali. If, on the contrary, the Turkish ships should be outside of the harbour, and within the power of their own officers, then her majesty's government would propose, that the course to be pursued should be such as has already been agreed upon for that contingency by the French and English governments:—that is to say, the combined fleet should interpose, if possible, between the Turkish squadron and the port of Alexandria, so as to prevent them from entering. The admirals should endeavour, by personal communication, to persuade the Turkish officers to return to their allegiance; they should employ all possible means of negotiation for this purpose, and should, if necessary, send small vessels to Constantinople, with any communications which might appear likely to contribute to an arrangement. They should abstain from any attack on the Turkish ships, unless necessary in order to prevent those ships from committing hostilities against the Turkish territory; but they should follow the Turkish ships with a sufficient force wherever they might go, in

order to watch their movements, and to remain masters of those movements. There could be no objection to allow those ships to go to any Turkish port outside of the Dardanelles, even before they had made their submission to the sultan, provided a sufficient part of the allied squadron were to accompany them thither. But her majesty's government are of opinion, that the instructions for this case, like those for the case first supposed, ought to emanate from Vienna; and her majesty's ambassador at Vienna will, therefore, be desired to communicate also upon this part of the case, with his colleagues at Vienna.

You will give a copy of this despatch to the Duc de Dalmatie.

I am, &c.,

(Signed) PALMERSTON.

VISCOUNT PALMERSTON TO THE MARQUESS OF CLANRICARDE.

Foreign-office, October 25, 1839.

My Lord,—Your excellency has been already informed, through the Russian government, of the particulars of the communications which baron Brunnow was sent hither to make, and of the nature of the answer which her Majesty's government gave to those communications; but in order that the details of the negotiation carried on between the baron and her majesty's government may be upon record, I think it right to recapitulate them in this despatch.

Baron Brunnow arrived in London on the 15th of September, and left England on the 12th of October; and during the interval between those two dates, he had several long conversations with myself, and with other members of her majesty's government, upon various matters connected with the relations between Great Britain and Russia.

The substance of all his communications on these different matters, was extremely satisfactory; and nothing could be more conciliatory than his manner upon every occasion. He was frank and unreserved in his conversations; and his mission, whatever may be its result, as to the main point upon which it bore, cannot fail to produce beneficial effects upon the relations between the two governments.

Baron Brunnow, on his arrival, stated that the principal purpose for which he was sent hither, was to explain frankly and without reserve, to her majesty's government, the views and opinions of the Russian cabinet upon the affairs now pending in the Levant; and to ask for an equally candid explanation of the views and opinions of her majesty's government.

He said, that the Russian government had been gratified at finding that the sentiments of the two cabinets on these matters, as far as they had been mutually explained, appeared to be so nearly alike; and he said, that the Russian government had witnessed, of late, with great satisfaction, evidences, as they conceived, of greater confidence on the part of the British government, in the sincerity and good faith of Russia with regard to the affairs of Turkey; that the emperor felt, that he deserved that confidence, and was anxious to confirm it by the fullest explanations, and thus to draw closer the ties between Great Britain and Russia.

The Baron said, that the emperor could take but one view of

the relative positions of the sultan and Mehemet Ali; that he looked upon the sultan as a sovereign who was his ally, and intitled to his support; and that he considered Mehemet Ali, as a revolted subject: That he saw that the quarrel between these two, might lead to events which might occasion serious differences between the powers of Europe, and endanger the general peace; and that he was therefore most anxious that some permanent arrangement should be made between the two parties, which would ensure future tranquillity. That his imperial majesty was convinced, that if England and Russia could come to a clear and full understanding on the matters, the arrangement which they might determine to support, would ultimately be carried into effect: That the Russian government understood that her majesty's government were of opinion, that the arrangement best calculated to prevent future collisions between Mehemet Ali and the sultan, would be that, which conferring upon Mehemet Ali the hereditary pashalic of Egypt, would restore immediately to the direct authority of the sultan, all the other portions of the Ottoman empire now occupied by the forces, and administered by the authorities of Mehemet Ali. That the Russian cabinet entirely concurs in preferring this arrangement, and is perfectly ready to cooperate in carrying it into effect; but that compulsion of some kind might become necessary to induce Mehemet Ali to consent to this plan; and that the emperor not choosing to embark in a plan without seeing his way to the execution of it, and not being willing to begin an undertaking with other parties, without being certain that they had made their minds up to go through with it, in conjunction with him, his imperial majesty was desirous, before this arrangement should be proposed to the sultan and Mehemet Ali, to know what powers were prepared to concur in the measures which might be necessary in order to carry it into effect.

Baron Brunnow then proceeded to discuss those measures, and to consider what they might be. He stated, that the Russian government very much approved of the series of coercive measures which had been proposed by her majesty's government, namely, the interception of all communication by sea, between Egypt and Syria; the blockade of the ports of those two provinces; the seizure and detention of all ships under the Egyptian flag; and the occupation of Candia, and its restoration to the direct authority of the sultan. And he said, that if these measures were taken by a powerful alliance, acting in support of the sultan's rights, or even if such parties were to intimate to Mehemet Ali their determination to take such measures, should they become necessary, little doubt could be entertained that Mehemet Ali would yield to superior force, and would submit to inevitable necessity. But the baron said there was a contingency connected with these measures, which could not safely be overlooked. Mehemet Ali had declared, that if coercion were attempted against him, he would immediately order Ibrahim to advance to the shores of the Bosphorus, and to threaten Constantinople. This might be an empty menace, which, perhaps, never would or could be put into execution; but, on the other hand, Mehemet Ali might,

in a moment of desperation, make such an attempt: and it might be the more likely that he should do so, if he thought that such a movement would take the powers of Europe unprepared, and would create dissensions among them. Consequently, baron Brunnow said it was of the greatest importance, that England and Russia should settle beforehand what should be done in such an event.

That it was clear that the sultan was not in a condition to defend himself against such an attack: his army having been defeated and dispersed, and his fleet having been delivered up to Mehemet Ali. But the sultan could not be abandoned, and left to be a prey to Ibrahim. That some of the allies must come to his aid, and that the emperor thought, that from local position, Russia was the power which could most easily afford assistance. That Ibrahim would take about twenty days to march from his present position to the Bosphorus; and that there would be time enough during that period, for a Russian naval force to occupy the Bosphorus, and for a Russian land force, if necessary, to take post on the Asiatic side of the strait.

Baron Brunnow said, that the Russian government was well aware of the feeling which exists in this country about the treaty of Unkiar Skelessi, which, whatever may have passed about it, the emperor nevertheless considers a binding obligation; but in the present case, the Russian government proposed that the aid to be given, if necessary, by Russia to the sultan, should be given, not in virtue of the separate engagements taken by the emperor, but in virtue of the engagements about to be entered into between the powers of Europe and the sultan: That this succour, therefore, would be an act of the alliance, and not of Russia alone; that the Russian force would arrive as the force of the alliance, and would retire as the force of the alliance, whenever the purpose for which it came should have been fully accomplished. He said that the emperor was perfectly willing that all these matters should be settled by a previous convention between the parties concerned; that this convention should define the objects to be attained; should determine the means to be employed; and should assign to each of the co-operating powers its appropriate share in the execution; and that the arrangement which, on this matter, he, baron Brunnow, had to propose was, that all the operations which might become necessary in Egypt and Syria, should be undertaken by England, and Austria, and France; and that whatever might be requisite within the Straits, and in Asia Minor, should be executed by Russia.

He said, that with respect to the Straits of the Bosphorus and Dardanelles, he understood that her majesty's government were of opinion, that as a permanent principle and standing rule, the best arrangement would be, that while Turkey is at peace, both of those straits should be shut against ships of war of all powers; and he could assure me, that the emperor would be perfectly ready to agree to such an arrangement, and to consider the Bosphorus as being as much closed against Russian ships of war, as the Dardanelles against the ships of war of other powers; and the emperor would willingly agree, that an article to this effect should be inserted in the proposed convention.

Baron Brunnow further said, that if England and Russia should happily come to an understanding on these matters; and if such a convention as he had described, were to be signed, he was authorised to say, that in such case the emperor would not renew the treaty of Unkiar Skelessi.

The baron further said, in reply to a question which I put, that the Russian government did not make the accession of France to these arrangements, a *sine qua non*; and that although the co-operation of France would undoubtedly render the execution more easy, Russia would be perfectly ready to act without France, if France could not be persuaded to concur, and if England was willing to go on without her.

As soon as it was possible to assemble the cabinet, a meeting of her majesty's confidential servants was held, to consider what answer it would be proper to give to these overtures from the Russian government; and the communication which thereupon it became my duty to make to baron Brunnow, was to the following effect:—

I stated, that her majesty's government highly appreciate the friendly sentiments towards England, which prompted his imperial majesty to send baron Brunnow with the communications with which the baron had been charged; and that her majesty's government derives the highest satisfaction from finding that the views and opinions of the two governments upon the important matters in question, were so entirely in accordance.

That the Russian government had justly interpreted the feelings of that of Great Britain, when it supposed that the British cabinet repose full confidence in the sincerity and good faith with which Russia is acting in these affairs; and that her majesty's government are most anxious to give proofs of that confidence. That her majesty's government are ready to adopt the whole arrangement proposed by baron Brunnow, with the exception of one single point, upon which I had to propose a modification, which, without essentially altering the plan, would remove a difficulty which her majesty's government would otherwise find insurmountable.

I said, that her majesty's government continue to think, that the only way of preventing future collisions between the sultan and Mehemet Ali, which might seriously endanger the peace of Europe, was to bring back within the confines of Egypt, the state of occupation of Mehemet Ali, the sultan at the time granting to the pasha, as a compensation for the sacrifice which he would thus make, an hereditary tenure in the pashalic of Egypt. I said that we continue to be of opinion, that if the five powers were to agree to assist the sultan in imposing this arrangement upon Mehemet Ali, the latter would, however reluctant to do so, yield to the force of a confederation which he would know himself unable to oppose, rather than expose himself to the risk of forfeiting by resistance, those advantages which the proposed arrangement would afford him. That even if the French government were induced, by domestic considerations, to decline being a party to the proposed convention, yet if such a convention were signed by the other four powers, and were made known to Mehemet Ali,

there seems good reason to think that it would induce him to acquiesce: but that, at all events, the means of the four powers to enforce the arrangement would be amply sufficient; and that Great Britain was prepared to become a party to such an agreement, and to take a share in the execution.

I said, that with respect to the straits of the Bosphorus and Dardanelles, baron Brunnow had rightly understood the opinion of her majesty's government; and that this opinion rests upon a general and fundamental principle of the law of nations. Every state is considered as having territorial jurisdiction over the sea which washes its shores, as far as three miles from low water mark; and, consequently, any strait which is bounded on both sides by the territory of the same sovereign, and which is not more than six miles wide, lies within the territorial jurisdiction of that sovereign. But the Bosphorus and Dardanelles are bounded on both sides by the territory of the sultan; and are in most parts less than six miles wide; and consequently the territorial jurisdiction of the sultan extends over both of those straits; and the sultan has a right to exclude all foreign ships of war from those straits, if he should think proper to do so. Now, by the treaty of 1809, Great Britain acknowledged this right on the part of the sultan, and promised to acquiesce in the enforcement of it; and it is but just that Russia should take the same engagement; and her majesty's government are of opinion, that the exclusion of all foreign ships of war from the two straits, would be more conducive to the maintenance of peace, than an understanding that the straits in question should be a general thoroughfare, open at all times to ships of war of all countries.

But, I said, her majesty's government being willing to acknowledge by treaty, as a general principle, and as a standing rule, that the two straits should be closed for all foreign ships of war, are of opinion, that if for a particular emergency, one of these straits should be opened for one party, the other ought, at the same time, to be opened also for other parties; in order that there should be the same parity between the condition of the two straits, when opened and when shut; and, therefore, her majesty's government would expect, that in that part of the proposed convention, which would allot to each power its appropriate share of the measures of execution, it should be stipulated, that if it should become necessary for a Russian force to enter the Bosphorus, a British force should at the same time enter the Dardanelles. I said, that this was no proof of any want of confidence in Russia; for, in truth, the very fact of the emperor becoming party to the proposed convention, would make it impossible for any one to breathe a doubt as to his imperial majesty's good faith; and that, as the bulk of the British squadron would probably be required off the coasts of Egypt or Syria, the smallness of the number of ships that could be spared for going up the Dardanelles, would of itself show that their presence was intended to record a principle, and to manifest union, and not to proclaim distrust, or to exercise control.

Baron Brunnow expressed great regret at this decision of her ma-

jesty's government, which must necessarily suspend, for a time, the progress of the negotiation; because his instructions did not provide for this case; and he should therefore be obliged to refer the question for the decision of his government; and much valuable time would thereby be lost, which ought to be employed in action. But he pressed me much to consider whether this question might not be put aside, and be reserved for future consideration, without preventing the two governments from proceeding to act upon other points, with respect to which they were agreed; and he expressed a strong desire that the allied powers should make an immediate demand for the restoration of the Turkish fleet, or for the contemplated territorial arrangement; or for any other thing upon which they might be agreed; and that if their demand should be refused, they should begin by putting in force those measures of coercion in which they might all concur; leaving the question about the Dardanelles to be settled, if, and when, it should arise.

I said, that her majesty's government had indeed proposed that the demand for the restoration of the fleet should precede the demand for the territorial arrangement, and should be made immediately, because it appeared to us, that whatever differences of opinion might exist as to the territorial arrangement, there could be no difference as to the propriety and justice of demanding and compelling the restitution of the fleet. But Austria and France were against such a course, and both recommended that the question about the fleet should be allowed to merge in the larger question as to the final arrangement; and her majesty's government had yielded to the wish of those two powers.

But certainly Austria, Russia, Prussia, and Great Britain, being agreed as to the arrangement which ought to be enforced upon Mehemet Ali, might at once, and without France, if France should be unwilling to join them, call upon Mehemet Ali to submit; and they might begin to execute the progressive measures of coercion, if he should refuse. But in that case, Mehemet Ali might order Ibrahim to march to the Bosphorus; and then would come upon us, in the most inconvenient manner, and without our being prepared for it by any previous agreement, the very difficulty which we were at present unable to solve; and I said, that unless we should come to a satisfactory understanding as to what was to be done in such a contingency, it would not be wise to take steps which might directly tend to make that contingency happen.

The baron, however, still pressed upon me the great anxiety of his government, that something should be done; and the strong conviction of that government, that some act or other would become necessary, on the part of some of the powers of Europe, within a very short period of time; and from himself, but not by any instruction from his government, he pressed me to submit to the cabinet, that Great Britain might, by herself, take some preliminary measures, which, either as demonstrations, or as a commencement of coercion, could not fail to have a decisive influence on Mehemet Ali.

I said that I knew that, in the present state of things, her majesty's government would not begin

to act alone in these matters. That we attach very great importance to the attainment of an European concert upon these questions; and that we by no means as yet despair of arriving at such a result; that if it should be found impossible to unite the five powers, or a sufficient portion of them, in a common course of action, it would be necessary for the British government then to consider what it might be fitting for Great Britain to do; but that, till the present negotiations should have come to some conclusion, it would be premature for her majesty's government to take into consideration a contingency which has not yet happened.

It was then agreed between baron Brunnow and myself, that we should each draw up a report of what had passed between us; he, for the information of his government; I, for the information of your excellency. I was, however, prevented by a heavy and continued pressure of business, from preparing my despatch: and baron Brunnow's Report, of which he gave me, confidentially, a copy, and of which I herewith inclose a copy, contains so full and so faithful a report of the conversations to which it relates, that I felt it unnecessary, at the time, to add anything thereto; and my reason for writing this despatch is, that I am desirous of furnishing your excellency with a statement which, though less full in detail, embraces a greater range of time.

I am, &c.

(Signed) PALMERSTON.

BARON BRUNNOW TO COUNT NESSELRODE.—(COMMUNICATED CONFIDENTIALLY BY BARON BRUNNOW.)

London, September 26 (October 8), 1839.

The very day that the cabinet council assembled at Windsor to deliberate upon the affair of Egypt, I received the despatch of the 9th of September, in which your excellency enjoined me to make you, as soon as possible, acquainted with the decision which the British government was about to take with respect to that important question.

I immediately requested an interview of lord Palmerston. The note which I wrote to him on this point crossed the invitation which he on his part addressed to me, to call upon him in town, where he would arrive the following day, the 2nd of October.

I will endeavour to lay before your excellency a summary of this conversation, which we resumed the following day, the 3rd of October; and which, taken together, will enable you, M. le Comte, to form for yourself an exact opinion of the nature of the views which the principal secretary of state for foreign affairs was pleased to communicate to me with a degree of sincerity to which I cannot sufficiently render justice.

He began by telling me, that the council had taken into serious consideration the overtures with which I had been entrusted.

That it had not hesitated to admit and strongly to appreciate the sincerity of the intention by which those overtures had been dictated.

That on this point the opinion of all the members of the cabinet was unanimous, so as to pay the tribute which is due to the recti-

tude of the intentions of our august master.

That the desire manifested by the emperor to come to an amicable understanding with England, with respect to the affairs of the East, was in entire conformity with the wishes of the British cabinet; but that the latter is under the necessity of not losing sight of many considerations which make it expedient for it to observe great caution in its proceedings, in order not to run directly counter to opinions which it is important to it that it should have regard for.

Lord Palmerston, on this point, entered into very detailed explanations, which I will endeavour, M. le Comte, to repeat in this place, while I report to you, as faithfully as possible, the very words employed by this minister.

"The opinion of my colleagues," said he, "is loudly expressed in favour of the same principles as those which you have set forth on the part of your cabinet, for the maintenance of the independence and the preservation of the Ottoman empire. Like you, we desire to act for this purpose in concert with you, and to dedicate thereto a common action. We should be determined to act in this manner *with all the cabinets* who might be willing to concur with us for the attainment of this object. We should be ready to proceed in this course *with France*, and even *without her*, if she refused to join therein. We persist in thinking that our efforts should be directed to reinstate the sultan in the possession of Syria. We do not conceal from ourselves that this result cannot be obtained without a display of force designed to overcome the resistance of the pasha.

"Still, neither can we overlook that the employment of these measures might lead Mehemet Ali to adopt an extreme resolution, and to march his army on Constantinople.

"If this contingency should occur, we are the first to admit the necessity of seeing Russia interpose her material force to ensure the safety of the capital of the Ottoman empire. But in that case, my colleagues are of opinion that it would be desirable and necessary that the military intervention of Russia in the Bosphorus, should not have the appearance of excluding our co-operation.

"According to the unanimous opinion of the council, the military intervention of Russia, if it should become necessary for the protection and defence of Constantinople, ought to take place in such a manner as that it might be combined with a certain degree of co-operation and assistance on the part of the naval forces of England.

"This co-operation might be settled so as not to blend and not to bring in contact the forces of one power with those of the other. This distinction would even be the result of a principle on which we are already agreed. As a general proposition, we look upon the two Straits of Constantinople as closed to the flag of war of foreign nations. Consequently, if, as an exception to this rule, and for the common interests of the defence of the Ottoman empire, one of those straits should be opened to your naval forces, it would be just and natural, that in pursuance of the same exception, the other of those straits should equally admit our naval forces. They would appear there by no means with the intention of confining or controlling your action. Each of the two straits

would be placed under the protection of the respective powers, whose forces would in this manner remain separated, and would not find themselves in presence of each other. You on one side, we on the other, would be there to prevent the Egyptian army from crossing the canal of Constantinople. Placed at a distance from each other, the respective forces would run no risk of coming in contact. Besides, the numerical disproportion which would exist between them, would evidently show that our co-operation could have no hostile tendency with respect to you; for the presence of three or four ships of the line which we should send there, would assuredly not be calculated to compete with your land and sea forces concentrated in the Bosphorus. All that would be necessary for us, would be to prove to the nation, that we have not consented to allow ourselves to be excluded from a common operation, having for its object to preserve the capital of the Ottoman empire; that we have not formally agreed to a principle by which Russia would be empowered to exercise that protectorate alone.

"It is not therefore from mistrust as to the intentions of the emperor, whom we respect, nor from jealousy of Russia, with whom we are sincerely desirous of proceeding together, but only from the considerations above-mentioned that it is impossible for us to accede to an arrangement by which we should ourselves pronounce the absolute exclusion of our flag from a quarter where we should in principle establish the isolated presence of yours."

It is in these terms that lord Palmerston communicated to me the decision of the council. He did so in a manner which proved to me that the British cabinet at the present time entertained no mistrust as to the intentions of our august master with regard to Turkey. But that in expressing the opinion above set forth, it had merely guarded itself against the attacks which it is easy for it to anticipate, in the event of its lending itself to concessions which might be represented as an injury done to the honour of the British nation.

After having listened with serious attention to the communication of which I have just given an account, I immediately replied to lord Palmerston, that in one of our previous conversations, I had already acquainted him with the formal orders which I was furnished with relative to the question of foreign flags in the Sea of Marmora.

That my instructions in this respect were too precise to admit of my deviating from them.

That it certainly was no business of mine to make myself a judge of the considerations on which the opinion of the members of the council rested.

That if their determination was taken on this matter, mine must be so likewise.

That the will of the emperor being for me the sole rule of my conduct, I must stop at the point at which we had arrived; faithfully report to my court the observations which he had just imparted to me; and wholly reserve to the emperor to pronounce upon them a decision which rested with himself alone.

That for my part, I was satisfied that our august master would never, in any case, and even if the views of the two cabinets could not be

reconciled, regret that he had given to England in this serious matter a spontaneous proof of friendship and of confidence.

That I considered that I had sufficiently fulfilled his intentions, if I had succeeded in convincing the British cabinet of the sincerity of the intentions of his imperial majesty, as well as of the friendly dispositions which he has constantly entertained towards Great Britain.

That if those dispositions were appreciated here as they deserve to be, I should consider myself happy in not having unprofitably employed my care and my efforts.

But that I conceived, that I had now reached the extreme limits of the duty which had been assigned to me, and that if the decision of the council, such as he had just announced it to me, was definitively taken, it only remained for me to suspend our discussions, and to refer the matter to the emperor, explaining to him the difficulty which had opposed to my proceedings an obstacle which it did not rest with me to remove, unless I deviated from the strict sense of my instruction, which I could in no case allow myself to do without the express sanction of the emperor.

Lord Palmerston fully admitted the weight and justice of the motives which hindered me from going further. He stated to me, that he would immediately acquaint the marquess of Clanricarde with what had passed between us, and also with the difficulties which had not permitted us to come to a definite arrangement on the question of Egypt. On my part, I informed him, that I would submit to my court a faithful narrative of our conversation. And to assure myself the more of the exactness with which I had caught his ideas, I told him that I should place before him the report which I was about to address to your excellency, before sending it off. He promised me on his part that he would beforehand communicate to me the despatches he was about to address to lord Clanricarde.

After having explained to you, M. le Comte, the obstacle which has prevented the continuance of my negotiation, I will abstain from entering here into more ample details respecting the explanations which passed between us on the theoretical and practical questions of a naval co-operation.

Moreover, the observations on either side upon this combination offered no novelty. In my view of the case, this question is altogether exhausted. Each party remained of his own opinion, without convincing, and without inducing the other to give way. It certainly did not depend upon me to solve this difficulty to the mutual satisfaction of the two cabinets. All that I could do was, to prevent it from becoming a subject of controversy between them, and thereby to secure my mission, which was planned by our august master in a spirit of sincere good-will, from ending in provoking a disagreeable discussion between Russia and Great Britain.

This rock I conceive I have fortunately avoided: I will say more; I have every reason to hope that my mission has produced the good effect which it was designed to accomplish, and that it has advantageously contributed to satisfy the British cabinet of the exalted sentiments by which our august master is animated, as well as of his friendly

dispositions towards the government of Great Britain.

I would fain think, that this impression will continue to operate favourably upon the further communications between the two courts.

For the moment, that which appears to me most important is, to contrive that the suspension of the definitive arrangement between England and our cabinet, with respect to the affairs of the east, should not be the occasion of delay, so as to retard and to impede the measures of salvation which the precarious situation of the Ottoman empire imperatively calls for.

On this point, I have derived great advantage from the observations which his majesty the emperor addressed personally to the marquess of Clanricarde, as well as from those which your excellency was so good as to impart to me in your despatch of the 9th of September.

The particulars which you communicated to me, as to the state of uncertainty and of moral disorganization in which the porte is situated, enabled me to urge upon lord Palmerston the necessity of taking at length some energetic measures to repress the daring projects of the pasha of Egypt, and to dispose him to submit to an arrangement based upon equitable conditions.

The urgency which exists for adopting, for this purpose, a more decided attitude is sufficiently admitted by the English ministry itself. But if it hesitates to take an energetic determination in this respect, it is because it has to struggle against a twofold difficulty.

The first is, that it would not wish to run the risk of driving Mehemet Ali into marching upon Constantinople, so long as England has not come to a previous understanding with us as to the mode of a common action, having for its object to place Constantinople in security against an hostile attack.

The second is, that it would prefer that France should not remain aloof from the measures which might be employed against Mehemet Ali, whilst that power resists for the last two months all the proposals which have been made to it from hence to induce it to lend itself to the employment of menace and of force against the viceroy.

Placed thus in the twofold uncertainty of being unable to reckon, on the one hand, upon an understanding with us, since it does not yet exist; on the other, upon a co-operation with the French government, since it has hitherto been obstinately refused, the British cabinet feels a degree of hesitation which neutralises the measures which it would desire to take, to support and defend the interests of the porte.

The reasons of this hesitation explain, M. le Comte, why England has abstained, up to this time, from adopting a decisive attitude with regard to Egypt.

Nevertheless, it has appeared to me, as if the moment had arrived when this hesitation must give way to more weighty considerations. In fact, at a time when every day lost in unprofitable discussions contributes to aggravate the situation of the Turkish empire, and may bring it to destruction, I have considered it my duty to make a direct appeal to the wisdom of the English government, to induce it no longer to delay the interposition of the

means of action at its disposal, in order to crush the resistance of Mehemet Ali.

It is to this necessity that I called the attention of the principal secretary of state for foreign affairs, in a second interview which I had with him on the 3rd of October.

I impressed upon him, that the time which must elapse in writing from hence to lord Clanricarde, and in receiving his reply, in consequence of our conversation of the preceding day, might be fatal to the porte; that in its present state, every hour seemed to bring it nearer to its destruction; and that nothing but a prompt and energetic action, on the part of England, could preserve it from an imminent catastrophe.

In support of this truth, I placed before lord Palmerston a map of Asia Minor; and, pointing out to him the two spots of Tenedos and Alexandria, I said to him, "See where your squadron now is, and see where it ought to be to preserve the Ottoman empire."

To explain more precisely the considerations which I was desirous at this momentous crisis to submit to the serious examination of lord Palmerston, I requested his permission to read to him a hasty minute which I had sketched out, in order clearly to explain to the English ministry itself the actual state of affairs in the east, and the measures which it appeared to me to be urgent to adopt, with a view to humble the audacity of Mehemet Ali.

This minute, wholly divested of every consideration connected with our own policy, is drawn up with perfect impartiality, just as if it were composed with a view only to promote the honour and dignity of Great Britain.

In sketching out this paper, I have not hesitated a single moment to suppose, that our august master would be pleased to approve the intentions with which I have drawn it up, being sure that I shall be happy enough always to merit his approbation, when, laying aside every personal consideration of interest and self-love, I shall employ my efforts for the common cause of the maintenance of the general peace, and of the good understanding between Russia and England. It is under this persuasion that I venture to lay before your excellency the annexed document such as I communicated it to lord Palmerston.

That minister, without concealing from me the impossibility of England undertaking alone to act decidedly with respect to Egypt, nevertheless agreed with me that it still was scarcely possible to remain in a state of absolute inaction, and that something must be done to succour the porte, in order not to expose the courts of Europe to the reproach of having promised to the sultan assistance which they have not the means of affording,—an admission of feebleness and weakness, which in the eyes of the world would be a real affront to the dignity of the great courts.

Whatever result may be produced by this attempt, it will at least have the advantage of having positively proved to the English ministry, first, that we sincerely desire a course of action, having for its object to preserve the Ottoman empire; secondly, that we should be in nowise jealous of the part which England might play in order to exercise a salutary in-

fluence on the question of Egypt; further, that it is not Russia who clings to assigning to herself a preponderating part in the present crisis; lastly, that neither is it our cabinet which would in the least constrain or embarrass the position of the British government; and that if the latter can induce France to join in the coercive measures which it might have recourse to against Mehemet Ali, such conjoint action, instead of being to us a motive for jealousy and distrust, would, on the contrary, meet with our entire concurrence, in the same manner as it received the most frank adhesion of our august master, at the time when his majesty was pleased to declare himself on this same matter, a year ago, when he was staying at Toplitz.

I will say further, that if England can succeed in setting aside the opposition which, up to this time, France has offered to the employment of measures of coercion against Egypt, in that case, the emperor would see with satisfaction that the mission which he entrusted me with, may have contributed to produce a moral influence on the determination of the French government, and to overcome the obstinate resistance which, up to this time, it had offered to the measures devised in London for the advancement of the European interest of the pacification of the Levant.

While closing this report, I have still reason to hope, that the result which I have just indicated, will be obtained, and that the English ministry will surmount the difficulties which France for so long a time has not ceased to originate, so as to render the question of Egypt every day more complicated.

If I could leave London with the certainty that these difficulties have happily been surmounted, and that the British cabinet has succeeded in inducing France to unite in an effective system of action against Mehemet Ali, I should congratulate myself on being able to announce to your excellency a result which would so advantageously respond to the solicitude which our august master does not cease to devote to the establishment of the repose of the east.

Baron Brunnow's Memorandum on Eastern Affairs.

October, 1829.

In the existing crisis of affairs in the east, there is one circumstance which encourages Mehemet Ali, and discourages the porte; this is, the inaction of England. For this circumstance proves, on the one hand, that there is disunion among the great powers; on the other, the existence of indecision on the part of England herself.

The day that England shall determine to act, the porte will recover courage, and the hopes of Mehemet Ali will vanish away.

The whole secret for bringing the present crisis to a solution, in a prompt and peaceable manner, will consist therefore in inspiring the Mussulmans with the belief that the European powers are united.

For this purpose no great display of force is requisite; a prompt and energetic resolution, so devised as to produce a strong sensation in Turkey as well as in Egypt, is all that is required.

It is on this persuasion that the plan of operations hereafter explained rests.

Its object is:

1st. To reassure the porte, and to put a stop in the very capital of that empire to that political and moral disorganization which is there daily making the most alarming progress.

2ndly. To prevent Ibrahim from carrying into execution the threat which he has uttered of advancing, if within a given space of time the sultan should not consent to the terms of the arrangement proposed by the pacha.

3rdly. To exert a strong influence over the determinations of the latter, in order to induce him to moderate his pretensions, and to come to a settlement with Turkey on equitable conditions.

The plan to be adopted then should be designed to operate at the same time upon Constantinople, upon Syria, and upon Alexandria.

Three different courses may be adopted, according as it may be desired to employ more or less vigour in the execution of this plan.

Maximum of the Plan of Operations.

CONSTANTINOPLE.

To declare to the porte that it can rely upon the firm resolution of the British government effectually to support its real interests: that it must not give way to fatal despondency, nor lend itself to concessions humiliating to the sultan; but wait with confidence the result of the effort which England will make in perfect consort with her allies; to announce to it that, for this end, admiral Stopford has received positive orders which will plainly manifest, in the face of Europe, the attitude which the British government is determined to take, in order to repress the ambitious projects of Mehemet Ali.

SYRIA.

To order admiral Stopford: 1st. To proceed with his squadron to the coast of Syria, and there station himself according as the season and local circumstances shall render advisable, in the bay of Scanderoon, or at such other point as shall offer the greatest security.

2ndly. To detach what he may consider a sufficient number of ships, to occupy, either by surprise or by force, the ports on the coasts which serve as the principal military dépôts, and as points of communication between Egypt and the army of Ibrahim; for this purpose the situation of Latakia and of Beyrout would appear so much the more important, as their vicinity to the cities of Aleppo and of Damascus is calculated to produce an influence on the people of those cities, as well as upon the Druse tribes, among whom the greatest discontent against the oppressive administration of the viceroy is prevalent.

3rdly. To send a superior officer to Ibrahim's head-quarters, to declare to him, that if he advances a single step in disregard of the formal promises given by Mehemet Ali to the European powers, England will feel under the necessity of considering the pasha as a traitor to his word, and as having forfeited his power; that thereupon she will arm, in the name of the porte, the people of the whole of Syria, and will strike Mehemet

Ali with all the force which shall be called for by his infringement of the engagements taken by him to respect the repose of the east, which all the great powers have equally at heart to maintain and to defend.

4thly. To capture all the vessels under the Egyptian flag which shall have on board munitions of war destined for the army of Egypt.

EGYPT.

To send at the same time a superior officer to Alexandria, to make precisely the same declaration to Mehemet Ali; adding, moreover, that if Ibrahim should march, England, without any jealousy and distrust, will be first to summon Russia to the assistance of the porte.

These measures, if executed with promptitude, warrant us in believing with certainty, — first, that Ibrahim, menaced with having his communications with Egypt cut off, will not dare to advance into the centre of Asia Minor; secondly, that the contingency of a military intervention of Russia in the Bosphorus, will, consequently, not be realized; thirdly, that the position assumed by England on the coast of Syria will greatly shake in that country the authority of Mehemet Ali, and will, perhaps, bring on there a state of things which, without a blow, will cause that province to return under the sway of the porte, if the people really desire so to return; lastly, that in every state of the case, the porte will negociate a definitive arrangement with Egypt under much more favourable circumstances, when admiral Stopford shall have taken up a position on the coasts of Syria, than when he is at anchor before Tenedos.

Medium of the Plan of Operation.

An encouraging declaration at Constantinople, couched in the terms indicated above; orders to admiral Stopford to proceed to the coasts of Syria for the purpose of cutting off the communications between that country and Egypt; to capture vessels under the Egyptian flag; to send an officer to Ibrahim to convey to him a threatening message in the same sense as that which we have suggested above; to make a corresponding declaration to Mehemet Ali.

Minimum.

An encouraging declaration at Constantinople; orders to admiral Stopford to take up a position at Rhodes or at Cyprus; to send a detachment to cruize on the coasts of Syria, and to turn away the vessels which may convey warlike stores to the army of Egypt; to despatch an officer to Ibrahim to declare to him, that if he advances, England will make Mehemet Ali and all his family responsible for the consequences which the resumption of hostilities may bring on. The same declaration to be made at Alexandria.

General Observations.

1st. To execute all these measures with the greatest promptitude and with the greatest secrecy. Promptitude,—because it is the only means of ensuring their success; secrecy,—because the blow must first be struck before it is announced.

2ndly. By declaring to Mehemet Ali, that if Ibrahim marches, England will be the first to invite Russia to come to the assistance of the porte, the British government produces the effect which it is of essential importance to obtain, for it lets Mehemet Ali see, that union exists between England and Russia.

3rdly. If the British government considers it indispensable, admiral Stopford can leave at Tenedos a detachment of three or four sail of the line, although it were better that he should have at his disposal his whole forces united, than that he should divide them.

4thly. As for France, England by adopting the course above pointed out, would in no wise prevent the cabinet of the Tuileries cooperating in it, if it thought fit to do so. The British government would merely commence by acting in the first instance, without allowing itself to be any longer restrained by the resistance which the French ministry for the last three months has offered to all the proposals which have successively been made to it by the cabinet of London. France would be free to follow the motions of England, but the latter would surely be fully entitled to make use of the liberty which on her part she possesses, of proceeding without suffering herself to be paralyzed by opposition, which, in the last instance, would end by ensuring, under the protection of France, the triumph of Egypt and the ruin of the porte.

Conclusion.

After an attentive examination, the plan above sketched out would appear to unite great advantages without offering the slightest inconvenience. England, by adopting it, would act with the dignity and with the energy appertaining to a great power; she would employ the only means which remain, according to all calculations of human wisdom, for the preservation of the Ottoman empire from a catastrophe which will be inevitable, if the cabinets of Europe still continue to discuss, as they have hitherto done, without any probability of arriving at a positive conclusion; and if they still hesitate any longer to assume a strong attitude in order to control the ambitious projects of the pacha of Egypt,

Finally, England, if she decides upon acting, has a great chance of saving the Ottoman empire; whereas, if she does not act, she has the certainty that that empire will crumble to pieces, or, at least, that the sultan, to delay its fall, will be compelled to submit to all the conditions which Mehemet Ali shall be willing to impose upon him; an occurrence disastrous for the porte, and humiliating for all the cabinets, which, after having promised their assistance and their mediation to Turkey, will have ended by abandoning her without defence.

Viscount Palmerston to Lord Beauvale.

Foreign Office, March 12, 1840.

I have to inform your excellency, that owing to the changes which have lately taken place in the French ministry, and in consequence of its being uncertain whether the ministry which has been formed at Paris will be able

to maintain itself, no further progress has lately been made in the Turco-Egyptian negotiation. Baron Brunnow and M. de Neumann are naturally very anxious that some definitive determination should be taken by her majesty's government; but it is obviously impossible for her majesty's government to know what to propose to the governments of Austria, Russia, and Prussia, until her majesty's government shall have been able to ascertain what France may be inclined to accede to, and what she would decline, so that we might know whether it will be possible for the five powers to keep together, or whether the four will be obliged to conduct these matters to a settlement without the co-operation of France. This, however, cannot be ascertained until M. Guizot shall have received his definitive instructions from the new French ministry. Her majesty's government do not at present despair of finding, that the opinions of the present French ministers may approximate more nearly than those of their predecessors, to the views of the four powers.

Although M. Guizot has not yet been furnished with instructions calculated to give to what passes between him and me, an official character, or to enable us to arrive at any practical result, yet I have had some conversation with his excellency, in order to ascertain from him his own views and, as far as he may know them, the views of his government, and in order also to put him in possession of the views of her majesty's government. The substance of what passed between us is as follows:—

In the opinion of M. Guizot, the government of France intirely agrees with the government of Great Britain, in wishing to maintain the independence and integrity of the Ottoman empire, and coincides with us in opinion, that the best arrangement of the pending dispute would be to confine Mehemet Ali to Egypt. But the government of France, according to M. Guizot, feels convinced that Mehemet Ali would not consent to such an arrangement without compulsion; and the French government thinks that the means of compulsion which have been suggested by Great Britain would be insufficient. M. Guizot said, that to cut off the communication by sea between Egypt and Syria. would have no decisive effect upon Ibrahim's military position in Syria; it would only compel Mehemet Ali to send by land the supplies which his Syrian army would require, and those supplies would, by means of camels, arrive by land as surely as by sea, though at a greater expence of time and money; that a commercial blockade of Alexandria would annoy France and England more than Mehemet Ali; that any attempt to restore Candia to the sultan by force, would create a new Greek revolution in that island; and thus, he said, nothing in the opinion of France would be effectual for the accomplishment of the object in view, but the entrance of a Russian army into Asia Minor. And such a step would, according to M. Guizot, more seriously shake the independence of the Ottoman empire than anything which could result from the present state of things.

In support of these opinions, M. Guizot argued that the restoration of Syria would not give any

real increase of strength to the sultan; that the sultan would be unable to govern it with advantage, and that he would not draw from it a revenue larger than the tribute which the pasha now pays to him for it. He said, that it is good organization and not extent of territory that gives strength to states, and that the sultan would be stronger if he were to govern well and efficiently the territory which is now subject to his direct authority, than if he were to regain what Mehemet Ali actually occupies, and to administer it ill.

M. Guizot further argued, that if Mehemet Ali were contented, he would become the best friend and firmest defender of the porte, while, on the other hand, if his pretensions were overruled he would continue to be the most dangerous enemy of the Ottoman empire.

Everything like an event in the Levant, according to M. Guizot, must turn to the profit of Russia, who is on the spot and ready to take advantage of whatever happens. It is, therefore, the interest of the other powers to prevent the occurrence of events, and this, M. Guizot thinks, would be best accomplished by letting the two parties make peace on their own terms. M. Guizot positively denies that France is actuated in these matters by any selfish views of influence or aggrandizement. He did not indeed deny, that some very extravagant schemes and notions upon these affairs have been broached by some parties and by some newspapers in France; but he assured me that those views were by no means shared by the ten or twelve leading men from among whom any possible French cabinet must necessarily be chosen; and he said, that the government of Great Britain ought not to give more credit to such imputations upon the policy of France, than the government of France gives to the assertions made in the French papers, that the course pursued by Great Britain is dictated by a desire to obtain possession of Egypt.

In reply to M. Guizot's arguments, I stated it to be the opinion of her majesty's government, that the means of coercion which have been proposed, are sufficient to induce Mehemet to comply with the arrangement which has been proposed to him; but that, even supposing this not to be the case, and that the advance of a Russian force into Asia Minor should become necessary, I could not see how such an advance, sanctioned, as it would be, by a treaty between the five powers and the Ottoman porte, in which should be recorded the objects of the advance of that force, the duration of its stay, and the time of its retirement, could materially affect the independence of the porte, except as it would be a public proof of the present weakness of the sultan, and of his inability to defend himself without external aid. But this fact, I remarked to M. Guizot, is unfortunately too well known, and would not be made more real by the entrance of Russian troops into Turkey; while, on the other hand, if the advance of those troops were to place the sultan in possession of the resources in Syria, and to take those resources away from his enemy, Mehemet Ali, such an entrance of Russian troops would in the end strengthen the independence of the sultan, by increasing his financial and military means. But very different, I observed,

would be the result, if the Russian forces were to enter Turkey by the single will of the Russian government, and were to act, when in Turkey, as the single and uncontrolled discretion of that government might suggest; to stay as long as that government pleased; and to make their departure depend on such conditions as that government might choose to impose. That would indeed shake the independence, if it did not even impair the integrity of the Ottoman empire; and yet this, I told M. Guizot, would infallibly be the consequence of acting as France wishes to do, that is, of allowing things to remain as they are, or of granting to Mehemet Ali all the conditions he demands. For in either case new collisions must infallibly arise between the sultan and the pasha, by the aggressions either of the one or of the other; and such collisions would certainly lead to events which would bring the Russians into Turkey, unfettered by any engagement with the other powers. I pointed out to M. Guizot, that in such case neither England nor France could prevent the Russians from entering, as neither of those powers would be on the spot. France and England might, in such case, indeed, make war upon Russia, to punish that power for what it had done; but is it the object of the powers of Europe to lay the ground for a future war, or are we not striving to make arrangements by which a future war may be prevented.

I further observed to M. Guizot, that even if the naval means of the allies should fail to coerce Mehemet Ali, there is a plan much better than the advance of a Russian force into Asia Minor; and that is an expedition to Alexandria, to strike at the heart of Mehemet Ali's power.

This suggestion appeared new to M. Guizot, and it seemed to make a considerable impression upon him; but he represented it as difficult of accomplishment, from the great amount of force which Mehemet Ali could concentrate to oppose it.

I reminded him, that about 13,000 English had made good their landing in Egypt in face of a good army of between 20,000 and 30,000 men; and I said, that a combined Austrian and Turkish expedition of sufficient amount would drive like dust before the wind, the artizans of the dockyard of Alexandria, and the wretched conscripts whom Mehemet Ali has assembled in Egypt; and that, if Mehemet Ali were to bring back Ibrahim pasha's army from Syria for the defence of Egypt, we should then only have to change the direction of the expedition, and to send it to take possession of Syria, thus left defenceless.

I observed, that if, as M. Guizot contended, extent of territory does not give power, mankind had from the earliest ages been in a considerable error; and that this error had been equally shared by those who sought to obtain power themselves, and by those who have striven to prevent others from becoming dangerously powerful. But that it is obvious that extent of territory does give to the party possessing it, men, money, and military positions; and these are the elements which constitute the strength of states

With respect to organization, I remarked that the porte has been making rapid advances to a system of organization and of rational government, infinitely better than

anything which exists under the tyrannical and grinding sway of Mehemet Ali; and that there is no reason, moral or physical, why the sultan should not be able to govern Syria, as well as the remoter province of Bagdad; and that neither of the two are so far from Constantinople as many provinces of other states are from the seat of government, or as some portions of the territory which Mehemet Ali has invaded in Africa and Arabia, are from Alexandria. That as to the advantage which the sultan would derive from regaining possession of Syria, I had to observe, that the sultan would in that case not only have at his disposal the amount of tribute now paid for Syria by Mehemet Ali, but the additional revenue drawn from that province by Mehemet Ali for his own purposes, and which is employed by him to make war against the sultan.

I admitted that the occurrence of any great events in the Levant ought, if possible, to be prevented; but I said, that the only way of averting events of a very disastrous nature, would be to reduce Mehemet Ali to a state of occupation compatible with his condition of a subject; that as to contenting Mehemet Ali, I had yet to learn how it is possible to content ambition; and that I was convinced that neither Mehemet Ali nor his successor could, as things now stood, be a real friend or defender of the porte; because their interest and that of the sultan must be in opposition, as long as there should be anything left for the one to acquire or for the other to lose.

With respect to the views and intentions attributed to France, I observed, that those intentions had been openly avowed by many of the French papers which are the organs of that party to whose opinion and influence the French government say they are obliged to defer: that those papers plainly state, that the Mediterranean ought to be a French lake; that Mehemet Ali should be made the sovereign of Egypt, Syria, and Arabia, and should become the protected ally of France; and that thus, with Algiers, Egypt, and Syria, and with Tunis and Tripoli, which would of course be swallowed up by France and her Egyptian ally, France would virtually command the whole shore of the Mediterranean, from Tangier to Adana; and that the ports and ships of Egypt would be at the disposal and at the service of France.

I said, that I did not certainly believe that any reflecting French statesman could seriously think of schemes, the accomplishment of which he must see would be impossible. That in the first place, if, for the time present, the French government were disposed, as their newspapers are, to count up the amount of their own maritime force, and to add to that force, the Egyptian and Turkish fleets now in the harbour of Alexandria, the French government must still feel conscious that the naval forces which Great Britain would be able to muster, added to the naval forces of those allies whom the course pursued by France must give to Great Britain, would infallibly turn the balance against France.

It would, however, be much better, I observed, that neither party should begin this kind of arithmetic; that as to the above-mentioned scheme for the future, it was needless for me to say, that Great Britain would endeavour, by every means at her disposal, to

prevent its accomplishment, because such a scheme would be greatly against the interests of Great Britain. France would, therefore, not be able to realise such a plan without a war, of which the result might not be success.

With respect to the notion inculcated by some of the French papers, that the policy of Great Britain, with regard to the affairs of the east, is grounded on a wish to obtain possession of Egypt, I observed to M. Guizot, that Great Britain would not accept the possession of Egypt, even if it were offered to her, because that possession would be a burthen and not an advantage; and I remarked, that it is not very apparent how Great Britain is likely to secure Egypt for herself, by endeavouring, as she does, to make it continue to be a province of the Ottoman empire.

M. Guizot promised to report all that passed between us to his government. In the mean time, that government cannot furnish M. Guizot with instructions with respect to this question, until it has ascertained whether it will be able to stand.

Her majesty's government do not, however, despair of inducing France to agree to the general principles laid down by the other four powers, provided those other four powers remain firm and steady to their purpose.

MEMORANDUM OF COMMUNICATION TO BE MADE TO THE FRENCH AMBASSADOR IN LONDON, BY HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR FOREIGN AFFAIRS. (COMMUNICATED TO M. GUIZOT, JULY 17.)

Foreign Office, July 15, 1840.

THE French government has received during the whole course of the negotiations which commenced in the autumn of last year, proofs, the most repeated, the most manifest, and the most incontestible, not only of the desire of the courts of Austria, Great Britain, Prussia, and Russia, to come to an understanding with the French government as to the arrangements necessary to effect the pacification of the Levant, but also of the great importance which those courts have never ceased to attach to the moral effect which would be produced by the union, and the concurrence of the five powers in an affair of such serious interest, and one so closely connected with the maintenance of the peace of Europe. The four courts have seen with the deepest regret that all their efforts to obtain their object have been fruitless; and notwithstanding that, very lately, they proposed to France to unite with them to carry into execution an arrangement between the Sultan and Mehemet Ali, founded upon ideas which had been suggested towards the end of last year by the ambassador of France in London, the French government, nevertheless, thought it impossible for it to take a part in that arrangement, and made its concurrence with the other powers to depend upon conditions which those powers considered incompatible with the maintenance of the independence and of the integrity of the Ottoman empire, and with the future repose of Europe.

In this state of things, the four

powers had no other choice than to abandon to the chances of the future the great affairs which they had undertaken to settle, and thus demonstrate their weakness, and consign the peace of Europe to continually increasing dangers; or otherwise to take the resolution of going on without the co-operation of France, and bring about by means of their united efforts a solution of the complications of the Levant, in conformity with the engagements which the four courts have contracted towards the Sultan, and calculated to insure future peace.

Placed between this twofold choice, and impressed with the importance of an immediate decision, and one consistent with the serious interests which are involved in it, the four courts have considered it their duty to choose the latter of these two alternatives; and consequently they have now concluded with the Sultan a convention destined to solve in a satisfactory manner the complications at present existing in the Levant.

The four courts, on signing this convention, could not but feel the liveliest regret at finding themselves thus momentarily separated from France, in an affair essentially European; but this regret is diminished by the repeated declarations which the French government has made to them,—that it has no objection to offer to the arrangements which the four powers are desirous of making Mehemet Ali accept, if Mehemet Ali consents to them; that, in any case, France will not oppose herself to the measures which the four courts, in concert with the Sultan, shall deem necessary to obtain the assent of the pasha of Egypt; and that the only motive which has prevented France from associating herself with the other powers on this occasion, originates in considerations of various kinds, which would make it impossible for the French government to take part in measures of coercion against Mehemet Ali.

The four courts entertain, therefore, the grounded hope that their separation from France on this matter will only be of short duration, and will in no wise impair the relations of sincere friendship which they so strongly desire to maintain with France; but, moreover, they urgently address themselves to the French government in order to obtain from it moral support at least, notwithstanding that they cannot expect from it material co-operation.

The influence of the French government is powerful at Alexandria; and might not the four courts expect, and even demand from the friendship of the French government, that its influence should be exerted with Mehemet Ali, in order to bring that pasha to accede to the arrangements which the Sultan is about to propose to him?

If the French government could in this manner effectually contribute to put an end to the complications of the Levant, that government would acquire a fresh title to the gratitude and the esteem of all the friends of peace.

MR. BULWER TO VISCOUNT PALMERSTON.—(RECEIVED JULY 19.)

Paris, July 17, 1840.

My lord.—I had a long conversation this morning on the subject of Eastern affairs, with M. Thiers. He began by observing that he was aware that reports had reached your lordship, of endeavours made by the French government to annihilate the negotiations at London, by promoting a direct negotiation between Mehemet Ali and the sultan. This, he said, he had never done; and that his instructions had been strictly confined to recommending to both parties peace and concessions. I asked him the object of M. Périer's mission to Egypt?

He said, that M. Périer was sent to the pasha to tell him that if he offered to restore the Turkish fleet, he must do so in a serious and *bonâ fide* manner; and that, at the least, he must concede Adana, the Holy Cities, and Candia to the Porte. "This," said M. Thiers, "I think we can get from Mehemet Ali, though with difficulty; and the language I hold to him in favour of submission, is as strong as it can be, without forfeiting that influence which I hope to make useful to the interests of peace. In short," said he, "to you I speak in his favour, but to himself I argue in favour of Turkey."

He then went over the question of what might be gained or lost by attempting to wrest Syria from the viceroy; but as little was here said which your lordship has not heard before, I do not repeat it. He continued, however, to observe, that he heard some project was being now canvassed in London between the four powers.

If, said he, England takes this course, it will certainly not be a case of immediate hostilities; but it is impossible to say what may ultimately occur: France must separate from England, and that with *éclat*. She must increase her navy and army; and a state of irritation will be pronounced, which, sooner or later, will end in one of those wars which convulse Europe.

He then read me a despatch which he had just received from Damascus, from which it would appear that the insurrection in Syria is put down.

In answer to his observation, I told him that it was too much the interest of both countries to maintain their present friendly relations, for me to believe that either would easily forego such an advantage; but calling to mind what had occurred last year, and the support of which the French government had then, in conjunction with the other governments, assured the sultan, I could hardly conceive how it would now be possible for France to avoid doing something in favour of Turkey, if she were called upon by those by whom such promises had been volunteered, to fulfil them. That as to differences as to the extent of what should be done, there would always be differences between states the most amicably disposed towards each other; but that still, I was quite sure it would give the sincerest concern to her majesty's government to find that, in this or any other matter, its views were at variance with those of France. I then asked him what he thought of the line of demarcation from Beyrout to Aleppo,

spoken of last year by general Sébastiani? This he objected to; he did not seem willing, indeed, to admit that the pasha should yield more than Adana, Candia, and the holy cities.

"I have, &c.,

"(Signed) HENRY L. BULWER."

MR. BULWER TO VISCOUNT PALMERSTON.—(RECEIVED JULY 22.)

Paris, July 20, 1840.

I asked M. Thiers, this morning, whether the account given in my despatch of this day, with respect to the French fleet that has sailed for Tunis, was complete? M. Thiers replied, "This is not the time to ask or to give explanations; the alliance between England and France is at an end. M. Guizot has received the official intelligence, that an agreement has been come to by the four powers, to which we have not even been asked to accede. This, however, does not much signify; it is merely an affair of form; it is of the *fond* of this matter that I complain more seriously. I cannot understand an alliance on small questions, and a difference on great ones. Should England separate from us on the Eastern question, such a separation will be a general one. France will, as I have already said, isolate herself: she is confident in her strength, and the more so as the government has on this subject the whole population of France behind it. Should an occasion, therefore, arise on which the dignity or the interests of my country call upon me to act, I will do so without fear and with decision. I regret it deeply; but I cannot but see in the state of affairs as now announced to me, eventualities which may disturb the peace of Europe."

I said that, as I had no information upon the subject on which he was speaking, I could say nothing positive upon it. But I was quite sure that, apart from the policy which my government might think it necessary to adopt, there was only one desire to communicate and to pursue that policy in the manner least likely to offend the dignity, and best calculated to conciliate the feelings, of the French government; and that it was not for a great country like France to have the jealousy or susceptibility of a smaller power; and I added, that I was, moreover, certain that M. Thiers' abilities would enable him to look beyond the present moment, and to perceive that, even if an important difference between the two countries should now unhappily arise, there were too many other circumstances, which time was constantly developing, to strengthen the connection, for him to adopt any course which would change a temporary disagreement into a permanent disunion.

MEMORANDUM GIVEN TO VISCOUNT PALMERSTON BY M. GUIZOT, *July* 24, 1840.

France has always desired, in the affair of the east, to proceed in accordance with Great Britain, Austria, Prussia, and Russia. She has never been influenced in her conduct by any other interest than that of peace. She has never looked at the propositions which have been made to her, in any other than a general point of view,

and never in that of her own individual interest; for no power is more disinterested than herself in the east.

Looking in this point of view, she has considered all the projects to be badly devised which had for their object to wrest from Mehemet Ali, by force of arms, the portions of the Turkish empire which he at present occupies. France does not think this advantageous for the sultan, for the tendency of such a course would be to give him what he could neither administer nor preserve. Neither does she think it advantageous for Turkey in general, and for the maintenance of the balance of power in Europe; for it would be to weaken, without benefit to the sovereign, a vassal who might powerfully assist in the common defence of the empire.

However, this is merely a question of system on which many different opinions may exist. But France has above all declared herself against any project, the adoption of which would necessarily involve the employment of force, because she did not distinctly see the means which the five powers could dispose of. Those means appeared to her to be either insufficient, or more fatal than the state of things which it was desired to remedy.

What France did think on this subject, she still thinks; and she has some reason to believe that this opinion is not exclusively her own. Besides, no positive proposal on which she might have to declare herself, has in these last circumstances, been made to her. The determination, therefore, which England communicates to her, doubtless in the name of the four powers, must not be attributed to refusals which France has not been in a position to give.

But further, without insisting on the question which such a way of going on with respect to her might give rise to, France declares anew, she views as little considerate, as little prudent, a line of conduct which shall consist in taking resolutions without the means of executing them, or in executing them by insufficient or dangerous means.

The insurrection of some tribes of the Lebanon is doubtless the occasion which it has been thought possible to take advantage of, to find therein the means of execution, which up to that time had not revealed themselves. Is it a means to be quite avowed, and above all very beneficial to the Turkish empire, to act in such a manner against the viceroy? It is desired to re-establish a little order and obedience in all parts of the empire, and insurrections are fomented in it. Fresh disorders are added to that disorder already general, which all the powers deplore as affecting the interests of peace. And these tribes, would it be practicable to subject them to the porte after having stirred them up against the viceroy?

All these questions have assuredly not been solved. But if this insurrection is quelled, if the viceroy is again assured in the possession of Syria, if he is only the more irritated by what has taken place, more difficult to persuade, and if he replies to the summons addressed to him, by positive refusals, what are the means of the four powers?

Surely, after having employed a year in seeking for them, they will not have just now discovered them; and a new danger, the most

serious of all, will have been created by themselves. The viceroy, roused by the means employed against him, the viceroy, whom France had contributed to restrain, may pass the Taurus, and again menace Constantinople.

If all these contingencies, as consequent on the line of conduct about to be pursued, have not been anticipated, then the four powers have entered upon a very obscure and very perilous course. If, on the contrary, they have been anticipated, and if the means to meet them have been decided upon, then the four powers are bound to make them known to Europe, and especially to France, who has always associated herself to the common object—to France, whose moral concurrence they even now demand, whose influence at Alexandria they invoke.

The moral concurrence of France in a common course of conduct was obligatory upon her. It is no longer so in the new situation in which the powers appear to be willing to place themselves. France, henceforth, cannot be influenced save by what she owes to peace, and by what she owes to herself. The conduct which she shall maintain, in the serious circumstances in which the four powers have just placed Europe, will depend upon the solution which shall be given to all the questions which she has pointed out. She will always keep in view peace, and the maintenance of the existing balance among the states of Europe. All her means will be devoted to this twofold object.

What then will the four powers do in that case? What will be the method of penetrating into the empire, there to succour the sultan. France conceives that a more serious danger has been thus prepared for the independence of the Ottoman empire, and for the general peace, than that with which the ambition of the viceroy threatened them.

Viscount Palmerston to Mr. Bulwer.

Foreign Office, August 31, 1840.

Sir, — Various circumstances have prevented me from sooner transmitting to you, and through you to the French government, some observations which her majesty's government is desirous of making upon the memorandum delivered to me on the 24th of July by the French ambassador at this court, in reply to the memorandum which I had delivered to his excellency on the 17th of that month; but I now proceed to do so.

Her majesty's government observed, with great satisfaction, the friendly tone of the French memorandum, and the assurance which it contains, of the earnest desire of France to maintain peace, and to uphold the balance of power in Europe. The memorandum of the 17th of July was conceived in a spirit of equal friendliness towards France; and her majesty's government is as anxious as that of France can be, to preserve the peace of Europe, and to prevent any derangement of the existing balance of power.

Her majesty's government also saw with much pleasure the declarations which the French memorandum contains, that France wishes to act in concert with the other four powers in regard to the affairs of the Levant; that she has

never been actuated in these matters by any other motive than a desire to preserve peace; and that in the judgment she has formed upon the propositions which have been made to her, she has never been influenced by any selfish interests of her own, being, in fact, as disinterested as any other power can be, in the affairs of the Levant.

The sentiments of her majesty's government upon these points are in all respects similar to, and corresponding with, those of the government of France. For, in the first place, in the whole course of the negotiations which have been going on upon these matters during more than twelve months, it has invariably been the anxious desire of the British government that a concert should be established between the five powers, and that all the five should agree in a common course of conduct; and her majesty's government feels that it can refer for proofs of this desire to the various propositions which from time to time have been made to the government of France, and which are alluded to in the French memorandum; and in the next place, her majesty's government can safely affirm that no power in Europe can be less influenced than Great Britain is, by any selfish views, or by any desire or expectation of exclusive advantage to arise to herself out of the settlement of the affairs of the Levant; for, on the contrary, the interest of Great Britain in those affairs is identified with that of Europe at large, and lies in the maintenance of the integrity and independence of the Ottoman empire, as a security for the preservation of peace, and as an essential element in the general balance of power.

In these principles, the French government has declared its full concurrence; and it has stated that concurrence upon many occasions, but especially in marshal Soult's despatch of the 17th of July, 1839, which was communicated officially to the four powers; in the collective note of the 27th of July, 1839; and in the speech of the king of the French to his chambers, in December, 1839.

In these documents, the French government declared its determination to maintain the integrity and independence of the Ottoman empire under its present dynasty, as an essential element of the balance of power, and as a security for the preservation of peace; and it also asserted in marshal Soult's despatch, its resolution to oppose, by all its means of action and influence, every combination which might be hostile to the maintenance of that integrity and independence.

The governments of Great Britain and of France are, therefore, perfectly agreed as to the objects at which their policy in regard to the affairs of the Levant ought to aim, and as to the fundamental principles by which that policy ought to be guided; and the only difference which exists between the two governments, is a difference of opinion as to what means are best calculated to attain the common end, —a point upon which, as the French memorandum observes, various opinions may naturally be expected to exist.

Upon this point, there has, indeed, arisen a considerable difference of opinion between the two governments; a difference which seems to have become wider and more confirmed in proportion as the two governments have more

fully explained their respective views; and which, for the present, has prevented the two governments from co-operating together for the attainment of their common object.

On the one hand, her majesty's government has all along declared the opinion, that it would be impossible to maintain the integrity of the Turkish empire, and to uphold the independence of the Sultan's throne, if Mehemet Ali were to be left in the occupation of Syria. Her majesty's government has stated, that it considers Syria to be the military key of Asiatic Turkey; and that, if Mehemet Ali were to continue to occupy that province, in addition to Egypt, he would be able, at all times, to menace Bagdad to the south, Diarbekir and Erzeroum to the east, and Koniah, and Brussa, and Constantinople to the north; that the same spirit of ambition which has led Mehemet Ali on former occasions, to revolt against the sovereign, would soon prompt him again to take up arms for further encroachment; and that, for this purpose, he would always keep a large army on foot. That the sultan, on the other hand, must see the danger by which he would constantly be threatened, and must be obliged also to remain armed. That thus the sultan and Mehemet Ali would continue to maintain large armies to watch each other; that collision must inevitably arise out of mutual suspicion and alarm, even if there were no intentional aggression on either side; that any such collision would necessarily lead to foreign interference in the interior of the Turkish empire; and that such interference so occasioned, would produce the most serious differences between the powers of Europe.

But her majesty's government has pointed out a danger still greater than this, as a probable, if not certain, consequence of the continued occupation of Syria by Mehemet Ali; and that is, that the pasha, confiding in his military strength, and tired of his political condition of subject, should execute the intention which he frankly informed the powers of Europe, two years ago, he would never abandon, and should declare himself independent. Such a declaration, on his part, would be an undeniable dismemberment of the Ottoman empire; and yet that dismemberment might happen under circumstances which would render it more difficult for the powers of Europe to co-operate together, in order to compel the pasha to retract such a declaration, than it is for them now to combine, in order to force him to evacuate Syria.

Her majesty's government, therefore, has invariably contended that all those powers who wish to preserve the integrity of the Turkish empire, and to uphold the independence of the sultan's throne, ought to unite to assist the sultan in re-establishing his direct authority in Syria.

The French government, on the other hand, has argued that Mehemet Ali, if once secured in the permanent occupation of Egypt and Syria, would remain the faithful subject, and would become the firmest support of the sultan; that the sultan could not govern Syria, if he got it back again; and that the military and financial resources of that province would be more available for the sultan's defence, when in the hands of Mehemet

Ali, than if they were restored to the hands of the sultan himself; that implicit reliance might be placed upon Mehemet Ali's abjurations of any further ambitious views, and in his protestations of devoted fidelity to his sovereign; that the pasha is an old man, and that at his death, in spite of any hereditary grant made to his family, the whole of his acquired power would revert to the sultan, because all possessions in Mahometan countries, be their nominal tenure what it may, are practically nothing more than lifeholds.

The French government moreover contended that Mehemet Ali would never of his own accord consent to evacuate Syria; and that the only means which the powers of Europe could employ to compel him, would be, either naval operations, which would be insufficient, or land operations, which would be dangerous; that naval operations would not expel the Egyptians from Syria, and would only provoke Mehemet Ali to make an attack upon Constantinople; and that the measures which must be resorted to in such a case to defend the capital, but still more any land operations by troops of the allied powers to expel Mehemet's army from Syria, would be more fatal to the independence of the Turkish empire, than could be the state of things which such proceedings might be intended to remedy.

To this her majesty's government replied, that no reliance could be placed on Mehemet Ali's present protestations; that ambition is insatiable, and only increases by success; and that to give Mehemet Ali the power to encroach, and still to leave within his reach objects to covet, would be to sow the certain seeds of future collisions; that Syria is not further from Constantinople than many well-administered provinces of other empires are from the capital, and might be governed from Constantinople, as easily as from Alexandria; and that it is impossible that the resources of that province could be as useful to the sultan, when in the hands of a chief who might at any time turn those resources against the sultan, as they would be, if in the hands and at the disposal and command of the sultan himself; that Ibrahim, having an army under his order, has means to secure his own succession, at Mehemet Ali's death, to any authority which Mehemet might die possessed of; and that it would not be fitting for the great powers to advise the sultan to make an ostensible arrangement with Mehemet Ali, with a secret and reserved intention of breaking that arrangement on the very first occasion on which it might become applicable to events.

The French government, however, still retained its opinion, and declined to be a party to any arrangement which included the employment of coercive measures against Mehemet Ali.

But the French memorandum states, that "in the last circumstances no positive proposition has been made to France, upon which she was called upon to explain herself; and that, consequently, the determination which England communicated to her in the memorandum of the 17th of July, no doubt in the name of the four powers, must not be imputed to refusals which France has not made." This passage renders it necessary for me shortly to recapitulate to you the general course of the negotiation.

The original opinion entertained by her majesty's government, and which was made known in June, 1839, to the other four powers, France included, was, that the only arrangement between the sultan and Mehemet Ali which could ensure permanent peace in the Levant, would be that which should confine Mehemet's Ali's delegated authority to Egypt alone, and should re-establish the direct authority of the sultan in the whole of Syria, as well as in Candia and the holy cities; thus interposing the desert between the Sultan's direct authority and the province to be administered by the pasha; and her majesty's government proposed, that as a compensation for the evacuation of Syria, Mehemet Ali should receive the assurance that his male descendants should succeed him as governors of Egypt under the sultan.

To this proposal the French government objected, saying, that such an arrangement would undoubtedly be the best, if there were the means to carry it into effect: but that Mehemet Ali would resist it; and that any measures of force which the allies might employ to compel him to yield, would produce consequences which would be more dangerous to the peace of Europe, and to the independence of the Porte, than the present state of things between the sultan and Mehemet Ali could be. But, though the French government thus declined to agree to the British plan, yet for a considerable time afterwards, it had no plan of its own to propose.

However, in September, 1839, count Sébastiani, the French ambassador at the court of London, proposed that a line should be drawn East and West, from the sea somewhere near Beyrout, to the desert near Damascus, and that all to the south of that line should be administered by Mehemet Ali, and all to the north of that line, by the direct authority of the sultan; and the French ambassador gave her majesty's government to understand, that if such an arrangement were agreed to by all the five powers, France would, in case of need, unite with the other four in the employment of coercive measures to compel Mehemet Ali to submit to it.

But I pointed out to count Sébastiani, that such an arrangement would be liable, though in a somewhat less degree, to all the objections which apply to the present relative position of the two parties, and therefore could not be agreed to by her majesty's government; and I observed, that it apppeared to be inconsistent that France should be willing to employ coercive measures against Mehemet Ali to compel him to subscribe to this arrangement, which would evidently be incomplete and insufficient for its professed purpose, and yet that France should refuse to employ coercive measures to compel Mehemet Ali to consent to the arrangement proposed by her majesty's government, which even France herself admitted, would, if carried into execution, be complete and effectual for its purpose.

To this count Sébastiani replied, that the objection felt by the French government to employ coercive measures against Mehemet Ali, was founded upon domestic considerations; and that those objections would be removed if the French government were able to show to the public and to the chambers, that it had procured for Mehemet Ali the best terms which

could be obtained for him, and that he had refused to accept those terms.

This suggestion not having been adopted by her majesty's government, the French government, on the 27th of September, 1839, communicated officially its own plan, which was that Mehemet Ali should be made hereditary governor of Egypt, and of the whole of Syria, and governor for life of Candia, giving up nothing but Arabia, and the district of Adana. The French government, however, did not say that it knew that Mehemet Ali would consent even to this arrangement; nor did it declare, that if he should refuse to accept it, France would join in coercive measures to compel him to do so.

To this plan, of course, her majesty's government could not consent, because it would be even more objectionable than the present state of things; inasmuch as by giving Mehemet Ali a legal and hereditary title to a third of the Ottoman empire, which he now only occupies by force, it would at once be a virtual, and would at no distant time lead to a real dismemberment of that empire. But her majesty's government, in order to prove its anxious desire to come to an understanding with France on these matters, stated, that it would waive its well-founded objection to any extension of Mehemet Ali's authority beyond Egypt, and would join with the French government in recommending to the sultan to give to Mehemet Ali, in addition to the pashalic of Egypt, the administration of the lower part of Syria, bounded to the north by a line drawn from Cape Carmel to the southern end of Lake Tiberias, and to the eastward by the Jordan, the western shore of the Dead Sea, and by a line from thence down to the Gulf of Akaba; provided that France would engage to co-operate with the four powers in coercive measures, if Mehemet Ali should refuse this offer.

This proposal, however, was declined by the French government, and that government now declared that it could not possibly co-operate in any coercive measures against Mehemet Ali, and could not therefore be a party to any arrangement to which Mehemet Ali should not spontaneously consent.

During the time that this discussion had been going on with France, a separate negotiation had been carried on between Great Britain and Russia, with every detail and step of which, however, the French government was regularly made acquainted. The negotiation with France was suspended for a time in the early part of this year, first by an expected, and afterwards by an actual change of ministry in France But in the beginning of May, the baron de Neumann and myself determined, on the part of our respective governments, to make one more attempt to bring France to an agreement with the other four powers; and we resolved to submit to the French government, through M. Guizot, another proposition for an arrangement between the sultan and Mehemet Ali.

One objection which had been urged by the French government to the last British proposal was, that although it would give Mehemet Ali the strong defensive position extending from Mount Carmel to Mount Tabor, it would deprive him of the fortress of Acre. In order, therefore, to meet this

objection, baron de Neumann and myself proposed to M. Guizot, that the northern boundary of that part of Syria which should be administered by the pasha, should be drawn from Cape Nakhora to the northern end of Lake Tiberias, so as to include within its limits the fortress of Acre, and that the eastern boundary should run down along the western bank of Lake Tiberias; and thence, as before proposed, to the Gulf of Akaba. But we said, that the government of this lower part of Syria could only be given to Mehemet Ali for his life; and that neither England, nor Austria, could consent to recommend the grant of hereditary tenure to Mehemet Ali in regard to any part whatever of Syria; and I stated, moreover, to M. Guizot, that this proposal was the utmost extent to which we could go in the way of concession, in order to obtain the co-operation of France; and that it was therefore our last offer.

The baron Neumann and myself made this communication to M. Guizot separately; baron de Neumann on one day, and I upon the next. M. Guizot told me he would report to his government the proposition I had made, and the statements with which I had accompanied it, and would let me know their reply whenever he should receive it.

Soon afterwards, the plenipotentiaries of Austria, Prussia, and Russia stated to me, that they had reason to believe that the French government, instead of deciding upon this proposal themselves, had transmitted it to Alexandria for the decision of Mehemet Ali. That this was placing the four powers in negotiation, not with France, but with Mehemet Ali. That, besides the delay which would be thereby ocasioned, this was what their respective courts neither intended to do, nor could consent to do; and that the French government had thus placed the plenipotentiaries in a very embarrassing situation. I replied, that I agreed with them in all their objections to the step which they believed the French government to have taken; but, that M. Guizot had said nothing to me as to any reference made, or to be made to Mehemet Ali. That the French government was then much occupied by parliamentary affairs, and might naturally require some time to give us its answer to our proposal; and that no great practical inconvenience could arise from some trifling delay in this matter. Towards the end of June, I think it was on the 27th of that month, M. Guizot came to me, and read to me, from a letter addressed to him by M. Thiers, the answer of the French government to our proposal. This answer was a positive refusal. M. Thiers stated, "That the French government knew for certain that Mehemet Ali *would not consent to any division of Syria*, unless compelled thereto by force. That France could not co-operate in the employment of force against Mehemet Ali for such a purpose; and, therefore, France could not be a party to the proposed arrangement."

France having thus refused the ultimatum of the British government, it became necessary for the plenipotentiaries of the four powers to consider what course their governments should then pursue.

The position of the five governments was this. All five had declared their conviction that it is essential for the balance of power,

and for the preservation of the peace of Europe, that the integrity and independence of the Turkish empire, under its present dynasty should be maintained; and all five had pledged themselves to employ all their means of action and influence to maintain that integrity and independence. But France, on the one hand, contended that the best way to maintain the independence and integrity of the Turkish empire was, to leave the sultan to the mercy of Mehemet Ali, and to advise the sultan to submit to any terms which Mehemet Ali might determine to insist upon, as a *sine quâ non* of peace; while the four powers, on the other hand, considered that the further continuance of the present state of military occupation of the sultan's provinces by Mehemet Ali, would be destructive of the integrity of the Turkish empire, and fatal to its independence. They thought, therefore, that it was necessary to confine Mehemet Ali within narrower limits.

France, after nearly two months' deliberation, had not only refused to agree to the plan proposed by the four powers as an ultimatum of concession on their part, but had again declared that she could be no party to any arrangement to which Mehemet Ali should not, of his own accord, and without coercion, consent. The four powers, therefore, had no other alternative, but either to adopt the principle of settlement pressed upon them by France, and which consisted in recommending to the sultan entire submission to the demands of Mehemet Ali; or else to act upon their own principle, which was, that Mehemet Ali should be compelled to agree to some arrangement consistent in its form with the rights of the sultan, and compatible in its substance with the integrity of the Turkish empire. By the first course, the co-operation of France would have been obtained; by the second course, that co-operation must be foregone.

The earnest desire of the four powers for the co-operation of France had been sufficiently manifested by the persevering efforts they had made to obtain it, during many months of negotiation. They well knew its value, not only in regard to the particular object at present in view, but with reference to the general and permanent interests of Europe; but that which they wanted, and that which they valued, was the co-operation of France for the purposes of peace; for the attainment of future security to Europe; for the practical execution of principles, which all the five powers had concurred in declaring. They valued the co-operation of France, not for its own sake alone, nor for the advantage and convenience of the moment, but for the good it was to accomplish, and for the future consequences that were to result from it. They were anxious to co-operate with France in doing good; but they were not prepared to co-operate with France to do evil. Therefore believing, as they did, that the policy recommended by France was injudicious, was unjust towards the sultan, was pregnant with future dangers to Europe, was at variance with the public engagements of the five powers, and inconsistent with the principles which the five powers had deliberately professed, the four powers felt that they could not make the sacrifice which was required at their hands, as the price

of the co-operation of France; if indeed that can be called co-operation, which was to consist in letting events take their own course. Unable, therefore, to adopt the views of France, the four powers determined to carry into execution their own.

But this determination had not been unforeseen; nor had its probability been concealed from France.

On the contrary, at various times during the negotiation, and as early as October last, I had stated to the French ambassador at this court, that our desire to remain united with France on these matters must have a limit; that we were anxious to go forward with France, but that we were not prepared to stand still with France; and that if France could not find the means of coming to a common understanding with the four powers, she must not be surprised if the four powers were to come to an understanding together, and were to act without her.

To this count Sébastiani replied, that he foresaw that we should do so, and that he would foretell the result. That we should try to accomplish our own arrangement without the participation of France, and that we should find our means insufficient; that France would remain a perfectly quiet and passive spectator of events; that after a year, or a year and a half, of unsuccessful efforts, we should acknowledge that we had failed, and should then address ourselves to France; and that France, as friendly after our failure, as she had been before our attempt, would give her good offices to arrange matters, and would probably persuade us then, to agree to things which we declined to consent to now.

Similar intimations were also made to M. Guizot, as to the course which the four powers would probably pursue, if they should be unable to come to an agreement with France. Therefore the French government having declined the ultimatum of the four powers, and having, in declining it, again laid down a principle of conduct which it knew that the four powers could not adopt, the principle, namely, that no settlement ought to be made between the sultan and his subject, except upon such conditions as the subject might choose spontaneously to accept, or, in other words, to dictate, the French government must have been prepared to see the four powers determine to act without France; and the four powers, in determining so to do, could not justly be represented as separating themselves from France, or as excluding France from the settlement of a great European affair. On the contrary; it was France who separated herself from the four powers. For it was France who had laid down for herself a principle of action, which rendered her co-operation with the other four powers impossible.

And here, without wishing to indulge in controversial observations on the past, I feel it indispensably necessary to remark, that this voluntary separation of France from the four powers, was not merely evinced by the course of the negotiations in London, but, unless her majesty's government has been greatly misinformed, it had also taken place in a still more decided manner by the course of the negotiations at Constantinople.

The five powers had, by the collective note which was presented to the Porte on the 27th of July,

1839, by their representatives at Constantinople, declared to the sultan that their union was assured; and they had requested him to abstain from any direct negotiation with Mehemet Ali, and to make no arrangement with the pasha, without the concurrence of the five powers. And yet her majesty's government have good reason to believe, that for many months past, the French representative at Constantinople has, with respect to the matters to which that note referred, distinctly separated France from the other four powers, and has earnestly and repeatedly pressed the Porte to negotiate directly with Mehemet Ali, and to make an arrangement with the pasha, not only without the concurrence of the other four powers, but under the single mediation of France, and according to the particular views of the French government. It is France, therefore, that has separated herself from the four powers, and not the four powers that have separated themselves from France.

With respect to the course pursued by Great Britain, the French government must admit, that the views and opinions of her majesty's government upon the affairs of the Levant, have never, from the commencement of these negotiations, varied in the slightest degree, except in as far as her majesty's government has offered to modify those views and opinions for the purpose of obtaining the co-operation of France; and those views and opinions have at all times been frankly and unreservedly explained to the French government, and have been most earnestly and constantly pressed upon that government by arguments which to her majesty's government appeared to be conclusive.

In the early stages of the negotiation, the declarations of principle made by the government of France, led her majesty's government to imagine that the two governments could not but agree as to the means of carrying their common principles into execution. If the intentions and opinions of the French government upon the means of execution differed, even in the outset of the negotiations, from those of the British government, then France has no right to represent, as an unexpected schism between England and France, a difference which the French government knew all along to exist. If the intentions and opinions of the French government as to the means of execution, have undergone a change since the negotiations began, then France has no right to impute to Great Britain a divergence of policy, which arises from a change on the part of France, and not from a change on the part of Great Britain. But in any case, when four out of the five powers found themselves agreed, upon one course, and when the fifth had determined to pursue a course entirely different, it could not reasonably be expected that the four should, in deference to the fifth, give up opinions in which they were daily more and more confirmed, and which related to a matter of vital importance to the great and permanent interests of Europe.

But as France still holds to the general principles which she declared at the outset, and still affirms that she considers the maintenance of the integrity and independence of the Turkish empire under its present dynasty,

necessary for the preservation of the balance of power, and for the security of peace; as France has never denied that the arrangement which the four powers intend to effect between the sultan and the Pasha, would, if it could be executed, be the most complete and the best; and as the objections of France have applied not to the end in view, but to the means by which that end is to be accomplished; her opinion being that the end was good, but the means insufficient or dangerous; her majesty's government trust that the separation of France from the other four powers, which her majesty's government most deeply regret, cannot be of long duration.

For when the four shall, in conjunction with the sultan, have brought about such an arrangement between the Porte and its subject, as may be compatible with the integrity of the Ottoman empire, and with the future peace of Europe, there will no longer remain any point of difference between France and the allies; and there can then be nothing to prevent France from concurring with the four powers in such further engagements for the future, as may appear to be necessary, in order to give due stability to the good effects of the interposition of the four powers in favour of the sultan; and to secure the Ottoman empire from a recurrence of danger.

Her majesty's government will look forward with eagerness to the moment when France will thus be at liberty again to take her place in the union of the five powers; and her majesty's government hopes that the arrival of that moment will be hastened by the full exertion of the moral influence of France. Although the French government has, for reasons of its own, declined to take part in measures of coercion against Mehemet Ali, surely that government cannot object to employ its means of persuasion to induce the Pasha to submit to the arrangements which are to be proposed to him; and it is obvious, that there are many topics which might be urged, and many prudential considerations which might be pressed upon the Pasha with more effect by France, as a neutral power, taking no part in those affairs, than by the four powers, who are actively engaged in executing the measures of coercion.

But be this as it may, her majesty's government feels confident that Europe will acknowledge the integrity of purpose which has actuated the four powers on this occasion; for their object is disinterested and just. They look to reap no selfish advantage from the engagements which they have contracted; they seek to establish no exclusive influence, and to make no territorial acquisition; and the ends they aim at, must be as beneficial to France as to themselves, because France, like themselves, is interested in the maintenance of the balance of power, and in the preservation of general peace.

You will transmit officially to M. Thiers a copy of this despatch.

I am, &c.,

(Signed) PALMERSTON.

Memoir addressed by the Consuls-General of the Four Powers to Mehemet Ali.

Alexandria, August 19, 1840

By the conclusion of the convention of the 15th of July, the political position of Mehemet Ali is entirely changed. Up to the present time, he had differences and was in a state of passive hostility with the Porte alone; but by rejecting the terms which have been offered to him, he would find himself in a state of open hostility with his sovereign as well as with the great powers who signed that treaty. Mehemet Ali cannot be ignorant of the high import and force of a solemn convention. The political system of all Europe rests only upon the faith of treaties, and upon their religious execution. Thus it happens, that notwithstanding the very serious difficulties which surrounded the questions of Greece, of Belgium, and of Spain, the conventions relating to them have been carried into full execution, although the interests of all the European powers, with regard to these questions, have not in every instance been identical.

To continue to believe in the possibility of a change or modification in the conditions of the convention of the 15th of July or of the separate Act, would be to trust to a vain hope; those stipulations are unalterable and irrevocable; the peremptory terms which have been fixed for the acceptance of those stipulations are a manifest proof of the impossibility of any ulterior change being made. Let us now examine the alternatives which arise in case the above convention should be accepted or rejected by Mehemet Ali.

By acceding to the arrangement proposed to him, the viceroy will prove to Europe and to posterity, that he has not been merely a fortunate conqueror, as so many have been before him who knew not how to stop in time and consolidate their conquests, but that he is at the same time a statesman and a profound politician. What can be more glorious than to create a new line of succession—to see it acknowledged by his sovereign and by all Europe; what a consolation would it be, to be able to say at the close of a brilliant career, "What I have created will descend to my posterity, to my children, from whom no one can take it away!"

In our days, it is no longer the territorial extent, nor even the material force of a state which constitute its happiness and security; it is the more solid guarantees of treaties which establish its integrity, by causing it to enter into the political system of Europe. It is thus, that on casting our eyes on the map, many small states without resources are there found bordering upon the most powerful empires; they have no injustice nor oppression to dread; all Europe watches over their honour and their security. Such guarantees once obtained, of what importance is it to Mehemet Ali or to his descendants, to acquire some districts more, which have hitherto been of no use to him, and the possession of which has not only exhausted their own resources, but, in addition, the greater part of the resources of Egypt. The viceroy knows better than anybody the sacrifices in men and money

which the occupation of Syria and Arabia has cost him.

This is not all. In the place of the differences which have unhappily existed between the Ottoman Porte and his highness, there would be sincere friendship and union, founded upon the identity of their political interests and of their creed. The Mussulman nation would regain its former strength and prosperity; if at any time (which God forbid) the integrity of the Ottoman empire were threatened from without, Turkey might reckon upon the support of Egypt, and Egypt upon that of Turkey, for the defence of the common country.

The personal interest of Mehemet Ali, and that of his family, the fate of the inhabitants of Egypt and that of the Mussulman nation, the wishes for the integrity and prosperity of the Ottoman empire, of which he has always declared himself the most zealous defender, all, in a word, enjoin the viceroy to accept most honourable conditions, and which are more advantageous than would be a mere extension of territory precarious and expensive to maintain.

Mehemet Ali would still have before him a very glorious and brilliant career; being entirely at ease with regard to the fate of his possessions, he would be able to devote all his energy and all his efforts to the consolidation of the noble institutions established by him in Egypt. The rich countries of Nubia, of Soudan, and of Senaar, present a wide field for the triumphs of science and civilisation. It is thus that Mehemet Ali would acquire the name of regenerator of Egypt, the ancient cradle of knowledge.

Let us turn to the other alternative, that of a refusal to accept the conditions of the convention.

One immediate consequence of such a refusal would be the employment of coercive measures.

The viceroy is too enlightened and is too well acquainted with the means and resources which the four powers have at their disposal, to flatter himself for one moment that he could, by his feeble means, offer resistance even to one or other of them. To reckon upon foreign support under the present circumstances would be but to cherish a vain hope. Who could stay the decisions of the four great powers, —who would dare to brave them? Who would be willing to sacrifice his own interests for those of another; to compromise his own safety out of pure sympathy for Mehemet Ali? Besides, what real advantage could result therefrom? It would provoke a general struggle, in which the viceroy would be the first sacrifice, and in which he must inevitably fall; far from being of advantage to him, such an interference in his favour would only hasten his downfall, which would then have become certain.

The four great powers will put forth forces more than sufficient to combat every opposition which may be made to the execution of the convention. On Mehemet Ali alone would rest all the responsibility of a war; he would have been the cause of the intervention and of the presence of European troops in Egypt and in Asia. The Mussulman people will know that he is the author of the evils of a war undertaken purely for his personal interests. Mehemet Ali has threatened to spill much blood before giving way. The European powers, on the contrary, are desirous to spare as much

as possible the blood of the Mussulmans and that of the Christians arrayed under the banners of the Sublime Porte. Forces, sufficient to render all resistance impossible, and to annihilate it at one blow, will be directed to the quarter where there shall be occasion for them.

Can there be a doubt that the viceroy will be overcome, and will it be with glory? No, for there is no glory in falling through one's own fault, in consequence of blind rashness, and by engaging in a desperate struggle. But there would be glory and wisdom in yielding to necessity and in bending to the force of circumstances. And if Mehemet Ali is overcome, will his name descend to posterity? No, for his conquests have not thrown the world into confusion like those of Tchengis Khan, of Tamerlane, of Alexander, and of Napoleon. History will say, there was, under the reign of Sultan Mahmoud, a pasha of Egypt, a man of striking character, of genius, and of courage; he was successful against his sovereign. The young successor of Mahmoud, immediately on ascending the throne of his ancestors, stretched forth his hand to Mehemet Ali in order to offer him the first honours of the empire as well as peace and harmony. The pasha rejected these offers with disdain; it was then that Europe declared herself against Mehemet Ali; he fell; his name will be lost among those of so many other rebel and vanquished pashas who preceded him.

In refusing to accept the convention, Mehemet Ali might perhaps flatter himself with the chimerical hope that the Powers will not employ with vigour and energy the measures necessary for carrying into execution the convention of the 15th July. Even admitting this, which is impossible, what would follow from it? Could the viceroy flatter himself thus to obtain the continuance of the *status quo?* But what state is there which, with the sword of the Great Powers constantly suspended over it, its commerce annihilated, and its communications cut off, would be able to support such a state of things?

Mehemet Ali may sacrifice his own interests and those of his family to inordinate self-love, to destructive views, and to boundless ambition. He may carry fire and sword into the heart of Asia Minor, desolation throughout the Mussulman nation; he may menace the integrity of the Ottoman empire, and thus provoke the intervention of foreign troops; but he will not do so with impunity.

Should Ibrahim pasha advance, his retreat will be for ever cut off; he will find certain defeat, perhaps a tomb, in Anatolia; and will involve in his fall that of Mehemet Ali and of all his family.

Europe will not accept war but with reluctance, and as a lamentable but imperious necessity. The Powers who signed the treaty of London are too exalted to be susceptible of any feeling of hatred or of vengeance. The convention is only founded on equity, on suitableness, and on stability for the future; its only aim has been the consolidation of the Ottoman empire. It requires from Mehemet Ali only what is just, consistent with his own interests, compatible with his dignity; but, on the other hand, it requires, above all, that which is adapted to the interests of the general peace. This is a truth with which the viceroy ought to be deeply impressed.

Let him yield then to imperious necessity, and accept with gratitude from the hand of his young and magnanimous sovereign, and from that of all Europe, the glory of having founded a new line of succession under their tutelary ægis.

He will thus transmit his works to posterity, will be blessed by his descendants, and will see his name honourably inscribed in the page of history.

(Signed) A. Laurin.
G. Lloyd Hodges.
E. Wagner.
A. Medem.

M. Thiers to M. Guizot.

Paris, October 8, 1840.

M. l'Ambassadeur — The important question which at present occupies the attention of the world has assumed an entirely new aspect since the reply made by the Porte to the concessions of the viceroy of Egypt. Mehemet Ali, in replying to the summons of the sultan, has declared that he submitted to the will of his august master, that he accepted the hereditary possession of Egypt, and that, with regard to the remainder of the territories which he actually occupied, he threw himself upon the magnanimity of the sultan. We have made known to the English cabinet what was to be understood by this manner of expressing himself; and although Mehemet Ali did not choose to declare at once all the concessions which he had been induced by the urgent solicitation of France to make, we took upon ourselves to make them known; and we announced that Mehemet Ali would, in case of necessity, be content to accept the hereditary possession of Egypt, and the possession of Syria for life, giving up immediately Candia, Adana, and the Holy Cities. We will add that, if the Porte had acceded to that arrangement, we would have consented to guarantee it in concert with the powers who are engaged in settling the fate of the Ottoman empire.

All enlightened minds have been struck with the good faith of France, who, although holding a separate course of conduct, never ceased to use her influence in behalf of a moderate and pacific solution of the eastern question. They have also been struck with the wisdom with which the viceroy listened to the counsels of prudence and moderation.

In return for such concessions, the Porte, whether it acted from its own impulse, or under the guidance of rash counsels received on the spot, the Porte, before it was possible to refer the subject to its allies, replied to the viceroy's submission by an act of deprivation. Such a course, as extravagant as it was unexpected, exceeds even the spirit of the treaty of July 15, and goes beyond the most extreme conclusions which could be deduced from it. That treaty, to which France cannot appeal, for she is no party to it, but to which she refers for the purpose of showing with what rapidity one is already hurried on to dangerous consequences; that treaty, in the event of the viceroy's absolute refusal on all points, left to the Porte the power of withdrawing its first proposals, and of then taking such course as it might think fit, in accordance with its interests and the counsels of its allies; but the treaty assumed two contingencies; an ab-

solute and peremptory refusal on all points on the part of the viceroy, and a reference to the councils of the four powers. Now, nothing whatever of this kind has taken place. The viceroy has given no absolute refusal; and the Porte has not even allowed itself time to concert an answer with its allies. It has replied to unhoped for concessions by deprivation! The four powers could not approve of such a course; and we know, in fact, that several of them have already disapproved of it. Lord Palmerston has caused it to be declared to us that it could bear no other meaning than that of being a measure of menace, without any real and necessary consequence. Count Appony, in conversing with me upon this subject, announced to me on the part of his cabinet the same opinion. We willingly take note of this wise manifestation, and from this circumstance we also take occasion to express the intentions of France in this respect.

France has declared that she would devote all her means to the maintenance of peace and of the balance of power in Europe. This is the occasion for her to explain clearly what was her meaning in this declaration. In accepting with a religious sincerity the state of Europe as settled by treaties, it was the understanding of France, that during the general peace which has happily subsisted since 1815, this state should not undergo any change, either to the advantage or disadvantage of any one of the existing powers. It is with this idea that she has always declared herself in favour of the maintenance of the Ottoman empire. The Turkish people, by their national character, assuredly deserved on their own account that their independence should be respected; but the dearest interests of Europe were also involved in the existence of the Turkish empire. The destruction of that empire could only serve to aggrandize the neighbouring states, at the expence of the general balance of power; its downfall would have produced such a change in the actual proportions of the great powers to each other, that the face of the world would thereby have been changed. France, and all the powers with her, have been so sensible of this, that they have honestly pledged themselves to one another to maintain the Ottoman empire, be their respective interests, with regard to its fall or to its maintenance, what they may.

But the integrity of the Ottoman empire extends from the shores of the Black Sea to those of the Red Sea. It is as essential to secure the independence of Egypt and of Syria, as the independence of the Bosphorus and of the Dardanelles.

A vassal prince has succeeded in establishing a firm administration in two provinces which for a long time the sultans of Constantinople had been unable to govern. This vassal prince, if he has not introduced into the provinces which he rules, the mildness of European civilization, which perhaps is not yet congenial to the manners of the countries under his administration, has at least caused more order and regularity to prevail there than exists in any other part of the Turkish empire. He has known how to create there a public force, an army, a navy; he has roused the pride of the Ottoman people, and has restored to them a little of that confidence in themselves, which is indispensably ne-

cessary to enable them to protect their independence. This vassal prince has become, in our opinion, an essential and necessary part of the Ottoman empire; if he were destroyed, the empire would not at the present day acquire the means which have been wanting to it in former times to enable it to govern Syria and Egypt; and it would lose a vassal who at present forms one of its chief forces; it would have pashas insubordinate towards their masters, and subject to every kind of foreign influence: in a word, a portion of the integrity of the Turkish empire would be compromised, and with a portion of that integrity, a portion of the general balance of power. In the opinion of France, the viceroy of Egypt, from the provinces which he governs, from the seas over which his influence extends, is necessary to secure the proportions actually existing between the different states of the world.

Impressed with this conviction, France, equally disinterested, with respect to the eastern question, as the four powers who signed the protocol of the 17th of September, considers herself called upon to declare, that the deprivation of the viceroy, if actually carried into execution, would in her eyes be a blow to the general balance of power. The question respecting the limits which should separate in Syria the possessions of the sultan and those of the viceroy of Egypt, might be left to the chances of the war actually begun; but France could not abandon to such chances the existence of Mehemet Ali as a vassal prince of the empire. Whatever may be the territorial limit which, in consequence of the events of the war, shall ultimately separate them, their twofold existence is necessary to Europe; and France cannot allow the suppression of either one or the other. Disposed as she is to be a party to any acceptable arrangement, founded on the twofold guarantee of the existence of the sultan and of the viceroy of Egypt, she confines herself at present to declaring, that, for her part, she could not consent to the act of deprivation decreed at Constantinople, being carried into execution.

Moreover, the voluntary manifestations made by several of the powers who signed the treaty of the 15th of July, prove to us that in this respect we entertain the same opinion as to the balance of power in Europe as they do, and that in this point we shall not find them at variance with us. We should regret such a variance, which we do not anticipate, but we could not swerve from this manner of understanding and of securing the maintenance of the general balance of power.

France hopes that Europe will appreciate the motive which has caused her to break silence. Her love of peace may be relied upon; it is a sentiment which constantly animates her, notwithstanding the proceedings of which she has thought she had reason to complain. Her disinterestedness may be relied upon; for she cannot even be suspected of aspiring at territorial acquisitions in the east. But she does aspire at maintaining the balance of power in Europe. The care of preserving it devolves upon all the great powers. Its maintenance ought to be their glory and their chief ambition.

(Signed) A. Thiers.

M. Thiers to M. Guizot.—(Communicated by M. Guizot, October 12.)

Paris, October 3, 1840.

M. l'Ambassadeur.—You have been made acquainted with the despatch which lord Palmerston wrote to Mr. Bulwer, to explain the conduct of the British government in the important negotiation which was terminated by the treaty of the 15th of July. This despatch, the tone of which I am glad to admit is perfectly proper and moderate, contains, however, assertions and reasonings which it is impossible for the government of the king to allow to be set up. It would no doubt be better, in order not to aggravate a state of things already so menacing, to forget the past, and not to revert to controversies too often renewed; but, besides that lord Palmerston would have reason to be dissatisfied that his communication remained unanswered, it is of importance to represent in its true light the respective conduct of each court during this negotiation. The despatch of lord Palmerston, communicated to all the missions in the form of a printed copy, has already become public. It was, therefore, indispensable to return an answer to it. The one which I now send to you, and of which I hope the British government may not think it has to complain, will give to the circumstances which have occurred between the several cabinets, the real meaning which they appear to us to have. You will have the goodness to leave a copy of it with the secretary of state of her Britannic majesty.

If I have rightly understood the general import of the statement made by lord Palmerston, it may be summed up as follows:—

"Great Britain, perfectly disinterested in the eastern question, has pursued but one object; that is, the independence and integrity of the Ottoman empire. It is this object which she has proposed to all the courts, which all have adopted, which all have pursued, France as well as the others. For the attainment of this object, it was necessary to reduce to smaller proportions the immoderate pretensions of the viceroy of Egypt, it was necessary to remove as far as possible from the Taurus, the possessions and the armies of this ambitious vassal. The best thing to be done was to place the desert between the sultan and the pasha, to confine Mehemet Ali to Egypt, and to restore Syria to the sultan Abdul Medjid. The desert of Syria would then have served as a barrier between the two states, and would have re-assured the Ottoman empire, and Europe, interested in the safety of that empire, against the ambition of the Egyptian family.

"This is what England has declared at every period of the negotiation. France, by the collective note signed at Constantinople on the 27th of July, 1839, by a circular addressed on the 17th of the same month to all the courts, had appeared to adhere to the common principle, by declaring, in as decided a manner as the other cabinets, the independence and integrity of the Ottoman empire.

"Afterwards, however, she departed from this principle, by demanding, for the advantage of the viceroy, a dismemberment of the empire incompatible with its existence. With the desire of obtaining the concurrence of France, the four cabinets, parties to the treaty of the 15th of July, made repeated appeals to her in order to bring her to their views. They even made to her considerable sacrifices, for they added to Egypt, granted hereditarily the pashalic of Acre with the exception of the fortress of that name; and afterwards they consented to add thereto the fortress itself; but all these sacrifices were fruitless; France persisted in departing from the principle which the five cabinets had thought it right to proclaim in common.

"The other courts were unable to follow her in this course. Whatever desire they might have felt to obtain her concurrence, they were at length compelled to separate themselves from her, and to sign an act at which she ought not to be surprised, because she had been more than once warned that if an understanding should not be arrived at, it would be necessary to end by solving by four, the question which could not be solved by five. Four cabinets being agreed upon a question of the highest importance, could not indefinitely make to a fifth the sacrifice of their perfectly disinterested views and intentions. Indeed, lord Palmerston had studiously repeated to the ambassador of France, that the proposition afterwards contained in the treaty of the 15th of July, was his *ultimatum*, and that if this proposition were rejected, he would not make another. It was quite necessary to proceed and not to leave the Ottoman empire to perish through too long hesitation. The four courts could not be accused of having intended to offend France on this occasion.

"Moreover, in acting thus, the four cabinets remembered that France had in the month of September, 1839, through the channel of her ambassador in London, proposed a plan of arrangement, founded, with very little difference, upon the same basis as the treaty of the 15th of July; that at a later period, in opposing the plan presented by England, she had acknowledged that with the exception of the difficulty and danger attending the means of execution, it would be incontestably preferable to any other; that, lastly, on every occasion she had manifested the intention of not opposing any obstacle to those means of execution. They were therefore justified in believing that if, on account of private considerations, she refused to unite with them to constrain Mehemet Ali by force, she would at least not oppose any obstacle to their efforts, that she would even assist them by the employment of her moral influence at Alexandria. The four cabinets still hope, that when the treaty of the 15th of July shall have been accomplished, France will unite with them anew to secure in a definitive manner the maintenance of the Ottoman empire."

Such, if I mistake not, is the exact and impartial analysis of the statement which lord Palmerston and the four courts in general do not cease to make, respecting the negotiations to which the Turco-Egyptian question has given rise.

According to this statement France has been inconsistent.

She has desired, and desires no longer, the integrity and independence of the Ottoman empire;

The four courts have made repeated sacrifices to her views;

They have ended by presenting to her an *ultimatum*, founded upon an old proposition of her own ambassador;

They have not proceeded further until this *ultimatum* was rejected;

They have reason to be surprised at the manner in which France received the treaty of the 15th of July; because from her own declarations they were led to expect, that she would give more than a passive adhesion, and at least her moral influence, to this treaty.

An exact narrative of facts will afford a complete answer to this manner of representing the negotiations.

When the porte, ill-advised, renewed its hostilities with the viceroy, and lost at the same time its army and its fleet; when to all these losses was added the death of the sultan Mahmoud, what was the apprehension of England and of France, both then perfectly united? Their apprehension was that of seeing Ibrahim, victorious, cross the Taurus, threaten Constantinople, and bring, at the same instant, the Russians into the capital of the Ottoman empire. In this apprehension every enlightened individual in Europe participated.

What were the propositions of lord Palmerston upon this subject? The first time in his own name, the second time in the name of his cabinet, he proposed to France to unite two fleets—one English, the other French; to cause them to proceed towards the coast of Syria; to address a summons to the two belligerent parties; with a view to compel them to suspend hostilities; to support this summons by naval means; then to join the two fleets, and to demand from the porte admittance into the Dardanelles, or even to force that celebrated passage, if the struggle between the pasha and the sultan should have brought the Russians to Constantinople.

What, therefore, England, and with her every politician of foresight, then understood by the integrity and independence of the Ottoman empire, was, to preserve that empire from the exclusive protection of Russian armies, and, in order to prevent the case arising for such protection, to prevent the viceroy from marching upon Constantinople.

France entered fully into this idea: she employed her influence with Mehemet Ali and his son to stop the victorious Egyptian army; in this she succeeded; and, in order to ward off the more serious danger of seeing the Russian armies at Constantinople, she conceived that, before forcing the Dardanelles, it would be right to demand from the porte its consent to the entry of the two fleets, in the event of a body of Russian troops having traversed the Bosphorus.

England acceded to these propositions, and the two cabinets were perfectly agreed. The words independence and integrity of the Ottoman empire did not then mean, and we cannot point this out too strongly, that Mehemet Ali should be deprived of this or that portion of the territories which he occupied, but that he should

be prevented from marching upon the capital of the empire, and by the presence of Egyptian troops attracting the presence of Russian troops.

In conversing upon this subject with M. de Bourqueney on the 25th of May, and the 20th of June, her Britannic majesty's secretary of state acknowledged, that there existed in France and in England an opinion in favour of the Egyptian family; that in France this opinion was much more general; that the French government therefore must naturally be much more inclined to Mehemet Ali than the English government; that here was, doubtless, a difficulty of the position; but this was a consideration of secondary importance; that a higher consideration ought to predominate over all others, to wit, the necessity of saving the Ottoman empire from an exclusive protection, which sooner or later would be fatal to it, if France and England did not come to an understanding.

France participated in these ideas. Her policy was therefore directed to a twofold end; that of checking the viceroy, if, from being a powerful but submissive vassal, he should proceed to play the part of an insubordinate vassal threatening the throne of his master, and of substituting for the exclusive protection of one power, that of the five preponderating powers of Europe.

It is with these views that she joined in signing the note of the 27th of July, a note tending to place the protection of the five courts between the defeated sultan and the victorious pasha; it was with this idea that, on the 17th of July, she addressed a circular to all the courts in order to elicit a common profession of respect for the integrity of the Ottoman empire. With these views it was, that she originated the proposal of uniting Austria, Prussia, and Russia herself, in all the resolutions relating to the Turco-Egyptian question.

Lord Palmerston will, no doubt, recollect that he was less disposed than France to call for this general concurrence of the five powers; and the French cabinet cannot remember without lively regret, in comparing that period with the present time, that the English cabinet then believed that it could depend on France, beyond all others, for ensuring the safety of the Turkish empire.

No one was then disposed to think that the integrity of the Ottoman empire depended on the boundary which might separate the possessions of the sultan and the viceroy in Syria. All held that it reposed on a twofold condition; on preventing Ibrahim from threatening the capital, and on exempting the Russians from coming to its succour. France shared this belief with all the cabinets, and to this she has remained faithful.

Austria and Prussia adhered to the views of France and England. The court of Russia refused to join in the conferences which were to be held at Vienna with the view of making this European protectorate with regard to the sultan a matter of general concern. She little approved of the eagerness shown by the western powers to interfere in the eastern question. "The emperor," said M. de Nesselrode, in a despatch addressed on the 6th of August, 1839, to M. de Médem, and communicated officially to the French government;

"the emperor by no means despairs of the safety of the Porte, provided the European powers respect its tranquillity, and do not, by an ill-timed agitation, end in shaking it, while desiring to uphold it." The court of Russia, therefore, deemed it but little fitting to interpose itself between the sultan and the pasha, thought that it would be sufficient to prevent the viceroy from threatening Constantinople, and seemed to consider a direct arrangement as the most suitable resource in that state of things. "For the rest," said M. de. Nesselrode again to the ambassador of France in the beginning of August, 1839, "it is of small import to us, whether a little more, or a little less, be given to or taken from the pasha in Syria. Our only condition is, that the Porte be left at liberty, in the consent it may give."

At this period, then, the four powers who afterwards signed the treaty of the 15th of July, were not, as it is now wished to have it believed, united in their views, in the face of France alone dissenting and precluding all agreement by her perpetual refusals.

The danger was removed after Ibrahim had suspended his victorious march. The two belligerent parties were in presence; the pasha all powerful, the sultan beaten and without resources; yet both motionless, thanks to the intervention of France. The British cabinet proposed to wrest the Turkish fleet from the hands of Mehemet Ali. This France refused, fearing to excite fresh hostilities. Then began the fatal difference of opinion which has separated France from England, and which, for the interests of peace and the civilization of the world, must for ever be lamented.

The ill-will which the British cabinet bore to the viceroy of Egypt broke out with great vivacity: France sought to moderate it. Upon the representations of France, the British cabinet, appreciating the danger of an act of violence, renounced the idea of recovering the Turkish fleet by forcible means; that proposal was not followed up.

A mutual explanation had at last become necessary in order to know in what manner the territorial question between the sultan and the viceroy could be settled. The difference between the views of France and England became more clearly manifest. Lord Palmerston declared, that according to his view, the viceroy ought to receive Egypt in hereditary possession, but that, in consideration of this hereditary right, he ought at once to yield up the holy cities, the Island of Candia, the district of Adana, and the whole of Syria. Nevertheless, he slightly modified his original views, and consented to attach to the hereditary possession of Egypt, the possession, also hereditary, of the pashalic of Acre without the fortress of Acre.

France did not agree to these propositions. She held that the viceroy who had conquered the sultan at the battle of Nezib, without having been the aggressor, who had moreover consented to stay his march when he might have fallen upon the empire, and overturned the sultan's throne, deserved more consideration. She thought that the powers which had engaged him to accept in 1833 the conditions of Kutaya, would show but little equity in imposing upon him conditions far more ri-

gorous, at a time when he had done nothing to forfeit the benefit of that arrangement. She thought, that in taking from him the holy cities, the Island of Candia, the district of Adana, an offensive position which, when restored to the Porte, afforded it complete security, they ought to secure to the pasha the hereditary possession of Egypt and Syria. The victory of Nezib, won without aggression on his part, might alone have entitled him to hereditary right in his possessions from the Nile to the Taurus. But while the victory of Nezib was viewed as a thing which had never happened, while Mehemet Ali was made to purchase hereditary right at the cost of a portion of his actual possessions, strict justice at least enjoined that he should not be deprived of more than Candia, Adana, and the holy cities. Besides, France demanded by what means it was proposed to reduce Mehemet Ali. Doubtless, the European cabinets were powerful against him when he intended to threaten Constantinople; in that case, the fleets in the sea of Marmora were sufficient to stop him. But what means had they of wresting Syria from him? means of little efficacy, such as a blockade; of questionable justice, such as incitements to revolt; means very perilous, and contrary to the end proposed, such as a Russian army. France proposed then, in September 1839, to adjudge the hereditary possession of Egypt and the hereditary possession of Syria to the viceroy. At no period of the negotiation has France proposed anything else, till recently, when she has counselled the viceroy to content himself with the possession of Syria for life. I have examined the despatches anterior to my administration, and nowhere have I seen in them that general Sebastiani was ever authorised to propose the scheme of boundaries contained in the treaty of July the 15th, or that he spontaneously took upon himself the responsibility of proposing it. I have asked him what his own recollections were with respect to this, and he has assured me that he never made any proposition of the kind. France proposed therefore in 1839, that the hereditary possession of Egypt and the hereditary possession of Syria should be granted to the viceroy. Unhappily, her opinion was quite at variance with that of England.

This difference of opinion, to be for ever deplored, was soon known to the whole of Europe. All at once, and as if by magic, it caused the divergence which had separated the four courts to cease, and brought about a sudden union among them.

Austria, who had at first given in a full adhesion to our propositions; who, when on the point of notifying this adhesion at London, had only, she told us, suspended this notification in order to give us time to come to an agreement with England; Austria began to say that between France and England, she would declare herself in favour of that of the two courts, which should grant the greater extent of territory to the sultan. It is true that she still protested against the idea of having recourse to measures of coercion, of which she was the first to proclaim the danger. Prussia adopted the opinion of Austria. Russia sent M. de Brunnow to London in September 1839, to make her propositions. Russia, who had lately repelled as little suitable the idea of an European intervention between the sultan

and the viceroy, and appeared to see no other resource but a direct arrangement; Russia now adhered to all the territorial arrangements which England might please to adopt, and demanded, that in the event of hostilities recommencing, she might be permitted, in the name of the five courts, to cover Constantinople with an army, while the English and French fleets should blockade Syria.

These propositions exactly realized the combination which England had hitherto regarded as the most dangerous for the Ottoman empire, the protection of a Russian army;—a combination to be dreaded, not because a Russian army might possibly be tempted to remain definitively at Constantinople, but solely because Russia, adding thus to the event of 1833 another event precisely similar, would have created in her favour the authority of precedents. These propositions were not accepted; M. de Brunnow left London, and returned to it in January, 1840, with new propositions. These differed from the first, inasmuch as they granted to France and England the power of introducing each three ships of the line into a limited part of the sea of Marmora, while the Russian troops should occupy Constantinople.

At this point, the negotiation remained stationary for several months; from the month of February to that of July, 1840. In this interval, a new ministry and a new ambassador were entrusted with the affairs of France. The French cabinet has always repeated, that it thought it unjust to strike Syria off from the number of Egyptian possessions; that if it were possible that the viceroy should consent to this, France could not be more ambitious for the viceroy than himself; but if it were found necessary to wrest Syria from him by force, the government of the king did not perceive, for the attainment of this object, any other means than those which were inefficacious or dangerous, and that in that case it would separate itself from the other courts, and pursue a course of conduct entirely distinct.

While the French cabinet was holding this language at London with candour and perseverance, the French ambassador at Constantinople was not seeking to negociate a direct arrangement between the sultan and the viceroy; he was not the first, as lord Palmerston seems to think, without affirming it, he was not the first to set the example of separation. Our representative at Constantinople has never pursued the conduct which is ascribed to him; the instructions of the government of the king have never prescribed to him such a course. Doubtless, France has never ceased labouring to effect a reconciliation between the sultan and the viceroy, to dispose both parties to reasonable concessions, to facilitate in this manner the delicate task which Europe has taken on itself to fulfil; but we have constantly recommended both count Pontois and M. Cochelet to avoid, with the greatest care, everything which could be considered as an attempt to set aside the other powers; and to this recommendation they have remained scrupulously faithful.

England had to choose between Russia, offering it to abandon the viceroy on condition that M. de Brunnow's propositions should be adopted; that is, that the execution of the treaty of Unkiar Skelessi should be acquiesced in by

Europe: and France, merely demanding a just and temperate negotiation between the sultan and Mehemet Ali—a negotiation which might prevent new hostilities, and, in the event of such hostilities, the most dangerous contingency for the integrity of the Ottoman empire,—the direct and physical protection of a single powerful state.

Before making its final choice between Russia and France, the cabinet of London did not make us the reiterated offers which are spoken of, in order to bring us over to its views. Its efforts were confined to a single proposition. In 1839, the hereditary possession of Egypt, and the pachalic of Acre, without the fortress, were granted to the viceroy; in 1840, lord Palmerston proposed to us to grant him the pashalic of Acre, with the fortress besides, but without the hereditary right in them. Assuredly, that was cutting off from the first offer more than was added to it; this could not be called a new proposition, much less a more advantageous one.

But this proposition, so little worthy of the title of a new proposition, for it involved no new advantage, had in no respect the character of an ultimatum. It was not at all presented to us in that light. So far were we from viewing it as such, that on a hint from MM. de Bülow and de Neumann, we conceived the hope of procuring for the viceroy the possession of all Syria, during his life, combined with the hereditary possession of Egypt. Upon the affirmation of MM. de Bülow and de Neumann, that this proposition, if made, would be lord Palmerston's last concession, we despatched M. Eugène Périer to Alexandria, with a view to predispose the viceroy to close with an arrangement which seemed to us the last one possible. This was not, as lord Palmerston says, to make the negotiation depend on the will of a pasha of Egypt, but it was to influence opposing desires, and to lead them on to an amicable settlement, which would have prevented the disastrous spectacle which is now presented to the world.

France had some right to think, that so long a negotiation would not end without a final explanation; that the great and useful alliance which for ten years had linked her to England, would not be dissolved without a last effort towards an accommodation. The hints which had been given her, and which led to the belief, that the possession of Syria during his lifetime might perhaps be granted to the viceroy, naturally confirmed her in this expectation. All at once, on the 17th of July, lord Palmerston summons the French ambassador to the foreign office, and informs him that a treaty had been signed two days before; he tells him this, without even imparting to him the text of the treaty in question. The French cabinet could not but be surprised at this. Doubtless it was not ignorant that the three continental courts had adhered to the views of England, and that in consequence of this, an arrangement on the part of the four powers without France was possible; but it could have no idea that this arrangement would take place without its having been previously apprized of the fact, and that the French alliance would be so readily sacrificed.

The offer of restoring the Turkish fleet, which the viceroy made in June to the sultan from which, it was feared, a direct arrange-

ment, secretly proposed by us, might arise; the possibility which at that time presented itself of raising Syria in revolt; seem to be the two motives which caused such a sudden resolution to succeed the long inactivity of the British cabinet. If the British cabinet had desired to have a final and candid explanation with us, the French cabinet might have been able to demonstrate to it, that the offer of restoring the fleet was not a combination on the part of France to bring about a direct arrangement, for she never knew of this offer till after it had been made; and perchance it might also have been able to persuade the British cabinet, that to raise Syria in revolt was an unworthy expedient, and one little to be relied on.

Such are the facts which France affirms to be true, with the sincerity and good faith which become a great nation.

From these it evidently results:—

1. That the independence and integrity of the Ottoman empire were, at the outset of the negotiation, interpreted as France interprets them now, not in the sense of a territorial limitation, more or less advantageous between the sultan and viceroy; but as a guarantee given by the five powers against a hostile march on the part of Mehemet Ali, and against the exclusive protection of a single one among the five powers.

2. That France, far from modifying her opinions before the four courts, always united in their views, their intentions, and their language, has, on the contrary, ever construed the Turco-Egyptian question in one way only; while she has seen the four powers at first at variance, then uniting in the idea of sacrificing the viceroy, and England, contented with this sacrifice, drawing closer to the three others, and forming an alliance, very persevering now, it is true, in its views, very precipitate, very disquieting in its resolutions.

3. That reiterated sacrifices were not made to France, in order to draw it into the plan of the four courts, since they confined themselves to offering, in 1839, to join to Egypt the pashalic of Acre without the fortress of Acre, but with hereditary right in this pashalic, and to offering him in 1840, the pashalic of Acre with the fortress, but without hereditary right.

4. That she was not previously apprized, as is asserted, that the four powers would proceed, if she did not adhere to their views; that, on the contrary, she had some reasons for expecting new propositions, when, on the news of Sami Bey's departure for Constantinople, and of the insurrection of Syria, without letting her know before hand, the treaty of July was suddenly signed; of which she was not informed till after it was signed, and which was not communicated to her till two months later.

5. In fine, that there is no ground for counting upon her passive adhesion to the execution of this treaty, since, though she may have chiefly insisted upon the difficulty of the means of execution, she has never professed, for the end any more than for the means, an indifference which could authorize the conclusion, that she would in no case interfere in what might come to pass in the East; that, very far from that, she has ever declared that she would isolate herself from the other four powers,

in case certain resolutions were adopted; that no one of her agents has at any time been empowered to say one word which could lead to the conclusion that this isolation would be inaction; and that she has always meant, as she still means, to reserve her full liberty in this respect.

The French cabinet would not revert to such subjects of dispute, if lord Palmerston's note had not made it a matter of strict duty for it to do so; but it is ready to bury them entirely in oblivion in order to go at once to the root of matters, and to call the attention of her Britannic majesty's secretary of state to the really momentous side of the case.

The existence of the Turkish empire is in peril; England is anxious about it, and she is in the right; all the powers who are friends to peace should be likewise anxious: but how to set about consolidating this empire? When the sultans of Constantinople, having no longer sufficient strength to govern the vast provinces which owed them obedience, beheld Moldavia, Wallachia, and, more recently, Greece, slipping insensibly from their grasp, what course was then taken? Was it, then, attempted by a European decision, backed by Russian troops and English fleets, to restore to the sultans subjects who were escaping from them? Assuredly not. Impossibilities were not attempted. The possession and direct administration of the provinces which were detaching themselves from the empire, were not given back to them. A sovereignty, almost nominal, over Wallachia and Moldavia, was alone left to them. They were entirely dispossessed of Greece. Is this through a spirit of injustice? Certainly not. But the force of circumstances, mightier than the resolutions of cabinets, precluded the restitution to the porte, both of the direct sovereignty of Moldavia and Wallachia, and of the administration, even indirect, of Greece; and the porte had no rest until this sacrifice was freely effected. What view directed the cabinets in these sacrifices? That of rendering independent, of withdrawing from the ambition of all neighbouring states, the portions of the Turkish empire which were separating themselves from it. Unable to reconstruct one great whole, they desired that the detached parts should remain as states independent of all the surrounding empires.

A similar event has been coming about for some years past with respect to Egypt and Syria. Was Egypt ever really under the dominion of the sultans? No one thinks it was, and no one would believe it to be now possible to cause it to be governed directly from Constantinople. This opinion apparently prevails, since the four courts are adjudging to Mehemet Ali an hereditary right in Egypt, though reserving its sovereignty to the sultan. In this, they construe the integrity of the Ottoman empire as France does; they confine themselves to desiring to preserve for it all that it can retain under its authority. They desire, as far as possible, a bond of vassalage between the empire and its detached parts. In a word, they desire all that France desires. The four powers, in granting to the successful vassal who has been able to govern Egypt, hereditary right in that province, grant him, besides, the pashalic of Acre, but

tney refuse him the three other pashalics of Damascus, Aleppo, and Tripoli; and they call that preserving the integrity of the Ottoman empire! The integrity of the Ottoman empire is then preserved, even if Egypt and the pashalic of Acre is detached from it, but destroyed, if, in addition to these, Tripoli, Damascus, and Aleppo are detached. We plainly assert that such a proposition cannot be gravely maintained in the face of Europe.

There can evidently be no other reasons for giving these pashalics to, or taking them from, Mehemet Ali, than those of justice or policy. The viceroy of Egypt has founded a dependent state with genius and success. He has been able to govern Egypt, and even Syria, which the sultans could never govern. The Mahommedans, long humbled in their just pride, behold in him an illustrious prince, who restores to them the consciousness of their strength. Why weaken this useful vassal, who, once separated from the states of his master by a well-chosen frontier, would become for him the most valuable of auxiliaries? He aided the sultan in his struggle against Greece; why should he not aid him in his struggle against neighbours of a religion hostile to his own? His interest will be surety for him, failing his fidelity. When Constantinople shall be threatened, Alexandria will be in peril. Mehemet Ali knows this well, and proves every day that he perfectly understands it.

In order to preserve the integrity of the Ottoman empire from Constantinople to Alexandria, the sultan and the pasha of Egypt are both required, the latter subjected to the former by the bond of vassalage. The Taurus is the appointed line of separation between them. But it is desired to take from the pasha of Egypt the keys of the Taurus; be it so; let them be restored to the porte, and with this view let the district of Adana be withdrawn from Mehemet Ali. It is also desired to take from him the key of the Archipelago. Let Candia be refused to him; he consents to this. France, who had not promised her moral influence to the treaty of the 15th of July, but who owes the whole of it to peace, counselled Mehemet Ali to make these sacrifices; and he made them. But, verily, that for the sake of taking from him two or three more pashalics, and giving them over not to the sultan, but to anarchy; that for the sake of ensuring this singular triumph of the integrity of the Ottoman empire, already stripped of Greece, of Egypt, of the pashalic of Acre, there should be brought upon that integrity the only serious danger which threatens it, one which England thought so serious last year, that to provide against it she proposed to force the Dardanelles, is a very singular mode of providing for these great interests.

Let us admit however, for a moment, that the views of the British cabinet are better conceived than those of the French cabinet; was not the alliance of France of greater consequence as regards the integrity of the Ottoman empire and the peace of the world, than this or that line of demarcation in Syria.

There would not be so much alarm for the integrity of the Ottoman empire, if great changes of territory in the world were not feared, if war was not feared, which alone makes those changes

possible. Now what combination was most fitted to prevent them? Was it not the alliance of France and England? Ask every people from Cadiz to the banks of the Oder and of the Danube. Ask them what they think on this head, and they will answer, that it is this alliance which for ten years past has preserved the peace and independence of states, without prejudice to the liberty of nations.

It is said, that this alliance is not broken, that it might revive after the object of the treaty of the 15th of July should be attained. To expect that when without us, and in spite of us, four powers shall have pursued together an object bad in itself, which, at least, we have believed and declared to be so, and pursued it by an alliance too nearly resembling those coalitions which within the last fifty years have covered Europe with blood, France will after this be found without distrust, without resentment for such an insult, is to form a notion which she has never given occasion to the world to entertain, of her national pride.

An alliance, then, which has maintained the independence and integrity of the Ottoman empire far more firmly than the treaty of the 15th of July will ever do it, has been sacrificed gratuitously for a secondary object.

It will be said, that France might also make the same reflection, and that she might, if the question of boundaries in Syria appeared to her one of secondary importance, give way to the views of England, and by this sacrifice purchase the maintenance of the alliance.

To this there is a very simple answer. France, once agreed with her allies as to the object proposed, would have made, not indeed those essential sacrifices which no nation owes to another, but that of the view she took on certain questions of boundary. This she has just proved by the concessions which she has demanded and obtained from the viceroy. But no choice has been left her. She was informed of a new alliance when it was already concluded. From that moment, it became her to isolate herself. She did so, but did it not till then. Since that time, ever true to her pacific policy, she has not ceased to recommend the most perfect moderation to the viceroy of Egypt. Though armed, and unfettered as to her action, she will make every effort to spare the world from sufferings and catastrophes. For the maintenance of peace she will make all the sacrifices she can, those excepted which would trench upon her honour; and if she is now holding this language to the British cabinet, it is less with a view to complain, than to prove the honesty of her policy, not to Great Britain alone, but to the world, whose opinion no state, however powerful it may be, can at the present time despise. Her Britannic majesty's secretary of state has endeavoured to prove the justice of his case; the secretary of state of his majesty the king of the French owes it also to his king and to his country, to prove the consistency, the honesty, of the policy of France in the important question of the east.

(Signed) A. Thiers.

P. S. *October* 8.—While I was writing this despatch, M. l'Ambassadeur, deplorable events have occurred to make the posture of affairs still more serious. The conciliating advances of the viceroy have been answered by the most

violent hostilities. The porte, yielding to disastrous counsels, has pronounced his deprivation. It is no longer merely a question of curbing the power of Mehemet Ali; it is wished to obliterate him from the face of the political world.

If these were the serious intentions of the powers united by the treaty of the 15th of July, if in what has just come to pass it were possible to see anything but the almost involuntary result of a false position, the consequences of which it was impossible to foresee, there would in truth be reason to despair of the restoration of harmony among the great powers. I consequently think it my duty to add to the present communication the annexed note.

EARL GRANVILLE TO VISCOUNT PALMERSTON.

Paris, October 15, 1840,

My Lord—In my interview this morning with M. Thiers, he said that much as he desired to preserve peace, he was not very sanguine as to the possibility of avoiding war; your lordship seemed not to wish to allow to France any voice in the settlement of the eastern question.

The chambers were about to meet, and to them he should leave the responsibility of taking a decision. He should be happy to be relieved from the painful duties of his situation, if he were considered as any obstacle to peace.

I told him that which is my sincere opinion, that if, being minister, he chose to be pacific, I had no doubt the chamber of deputies would be ready to pursue a pacific policy; but that, if he excited them to war, they very probably might support him in going to war, and that he could not, therefore, divest himself of the responsibility of deciding this important question.

He then told me, that if negotiations were entered into between the French government and the other powers, which afforded a prospect of their terminating satisfactorily, he should ask of the chambers only their sanction of the expence which had been hitherto incurred in putting the country into a state of defence, and then adjourn the chamber for two months; that if no such negotiation were on foot, he should adjourn the chamber after having obtained from it sufficient supplies for a still further increase of the army, and for the putting into activity the national guards; that a considerable portion of the army in Africa would be recalled; that several armies would be assembled on the frontiers, and ready to act.

This language was evidently intended to persuade me that war is inevitable, if the four powers decline to enter into negotiation with France relative to the conditions of peace between the sultan and Mehemet Ali, and refuse to make concessions to obtain the concurrence of the French government in a pacific arrangement. That efforts will, as I have before written to your lordship, be made in other quarters to avoid war, I have no doubt; but I have my apprehension that those efforts, if opposed by M. Thiers, may not prevail. M. Thiers himself, however, if he can find a plausible ground for justifying before the chamber the

great expences he has incurred, in warlike preparations, without going to war, will, perhaps, be glad to escape the responsibility of involving his country in the dangers of a war with all the great powers of Europé, notwithstanding his assertions of the immense military means which France can bring into action. I have, &c.,

(Signed) GRANVILLE.

VISCOUNT PALMERSTON TO EARL GRANVILLE.

Foreign Office, October 20, 1840.

My Lord—In reply to your despatch of the 15th instant, reporting the substance of a conversation which your excellency has held with M. Thiers, relative to the course which he intends to pursue with reference to the affairs of Turkey, I have to instruct your excellency to remind M. Thiers, that nothing can be more unjust than to say that England has wished not to allow France any share in the settlement of the Turkish question. On the contrary, England has made great efforts to induce France to take a share in the settlement of that question, and has even consented to considerable sacrifices of opinion, in order to obtain the concurrence of France. But as long as France insists that the question shall be settled only in her own way, against the opinion of all the other powers, and in opposition to the engagements which the four powers have contracted with the sultan, by the treaty of the 15th of July, it is surely France that excludes herself from the settlement, and not the other powers that exclude her.

Your excellency, furthermore, will put it to M. Thiers, whether, if he were in the situation of the four powers, he would allow menaces of aggressive and unprovoked war, such as he threw out in the conversation reported in your excellency's despatch abovementioned, to force him from a course which he had publicly and formally pledged himself by treaty to pursue.

Her majesty's government are persuaded that M. Thiers would do no such thing; but, on the contrary, would oppose a determined resistance to any such aggression: and why should M. Thiers suppose that the four powers would act differently in this respect, from what France would do under similar circumstances; or that they should feel less regard than France would, for the obligations of a treaty?

It must surely be manifest, that Europe being composed of states, several of which are nearly equal to each other in power and resources, no one of those states can expect to dictate to all the rest, or can require that her will and opinion shall be law; and, yet, the expectation of France, that her particular view of the Turkish question shall be adopted as the basis of settlement, and that the views of all the other powers shall be abandoned in deference to her wishes, does amount to a pretension of this kind.

But if the four powers, knowing the difference of opinion which existed in June and July last, between them and France, thought it nevertheless incumbent upon them, with reference to the general interests of Europe, and for the maintenance of the balance of power, to conclude the treaty of

the 15th of July, nothing, surely, has happened since that treaty was concluded, which can be calculated to shake their confidence in the justness of their own opinions; nor can the continued existence of a difference of opinion between themselves and the French government, however much and sincerely that difference may be regretted by them, afford them a sufficient reason for retracing steps taken by them deliberately and upon full consideration.

M. Thiers cannot but see, that the threatening armaments which France, without any apparent cause, has already made, have increased, instead of diminishing, the difficulties to be solved; and if the course indicated by M. Thiers should be pursued, and if still more extensive armaments should be made by France, it will be impossible that Europe should not believe, that whatever may be the reason put forward as an excuse for such armaments, the real intentions and designs of France are similar to those which, during the republic and the empire, arrayed Europe in combined resistance to her aggressions; and thence will follow a conviction that it will be necessary to meet these designs by the same combination of defensive means which were then employed to protect the liberties of Europe.

Animated, as her majesty's government is, by the sincerest love of peace, and anxious as it feels, to cultivate the most friendly relations with France, not only because it wishes well to France, but also because it knows that a good understanding between France and England affords a strong security for the peace of Europe, such a state of things, as that which I have just described, would be viewed by her majesty's government with the deepest sorrow.

But her majesty's government still cherishes the hope that better counsels will prevail at Paris, and that a more peaceful spirit will direct the policy of France; and her majesty's government cannot abandon the hope that M. Thiers and his colleagues will, upon reflection, see, that there is more honour to be acquired by maintaining peace, than by involving Europe, unjustly and without provocation, in the calamities of a general war

Your excellency will read this despatch to M. Thiers, and will give him a copy of it. I am, &c.,

(Signed) PALMERSTON.

VISCOUNT PALMERSTON TO EARL GRANVILLE.

Foreign Office, November 2, 1840.

My Lord—The despatch of the 8th October, from M. Thiers to M. Guizot, which was officially communicated to her majesty's government by M. Guizot, on the 10th October, afforded to her majesty's government the liveliest satisfaction by the renewed assurances which it contained, that love of peace is a constant sentiment of the French government; that Europe may reckon upon the disinterestedness of France, in regard to the affairs of the Levant; that France considers the existence of the Turkish empire, in its integrity and independence, essential for the dearest interests of Europe, because the fall of that empire would increase the power of neighbouring states, at the expence of the general equilibrium; and that France will devote all her means

to the maintenance of peace, and to the upholding of the balance of power in Europe.

These assurances, indeed, are in strict accordance with all the previous diplomatic communications which her majesty's government has received from that of France during the progress of these negotiations; and they are of high value in the eyes of her majesty's government as pledges, that, notwithstanding some differences of opinion between the powers of Europe as to particular matters of detail, the general agreement of all the great powers upon the fundamental principles which ought to regulate their conduct in these affairs, will prevent any interruption of peace.

The main subject of M. Thiers' despatch is the edict of the sultan depriving Mehemet Ali of his government of Egypt; and my despatches to your excellency, of the 17th ultimo, and to lord Ponsonby, of the 15th ultimo, which have been communicated to the French government, contain so full a statement of the view which has been taken by her majesty's government of that measure, that it is unnecessary for me on the present occasion to add anything further upon that point. But there are some remarks which have suggested themselves to her majesty's government upon some passages of M. Thiers' despatch, which your excellency is instructed to submit for the consideration of the French cabinet.

M. Thiers says, that France, in accepting with a religious fidelity the state of Europe, such as it resulted from treaties (by which it is presumed are meant the treaties of 1815), has understood that this state should not be changed, either for the benefit or to the detriment of any existing power. In this understanding her majesty's government entirely agrees; and her majesty's government conceives that an arrangement which has for its object to prevent Egypt and Syria from being severed from the Turkish empire, is in strict conformity with this understanding, and in accordance both with its letter and with its spirit.

M. Thiers states, that the integrity of the Ottoman empire embraces the shores of the Black Sea and those of the Red Sea, and that it is as important to maintain the independence of Egypt and Syria as that of the Bosphorus and Dardanelles. But her majesty's government presumes that what is meant to be expressed in this passage is, not that the particular portions of the Turkish empire therein mentioned should be made separately independent, because that would be a dissolution of the Turkish empire; but that the sovereign power which rules the whole of the Turkish empire, should be able to exert its paramount authority with entire independence of foreign control, as fully and completely on the shore of the Red Sea as on that of the Black Sea; in Egypt and in Syria, as on the Bosphorus and the Dardanelles. In this opinion her majesty's government concurs, and the measures which are now in course of execution by the four powers, in regard to Syria, appear to her majesty's government to be strictly in furtherance of these views.

So far her majesty's government is glad to find itself concurring in the positions laid down in M. Thiers' despatch; but her majesty's government cannot equally agree in the opinion expressed therein, that the present condition

of the pasha of Egypt is an essential element of the balance of power in Europe.

The whole of M. Thiers' argument on this point seems to rest on the assumption, that the continued existence of Mehemet Ali in his present condition as pasha of Egypt, is a source of strength to the sultan, and tends to enable the sultan the better to defend himself against foreign and domestic danger; because, if it is admitted that Mehemet Ali is a governor, using against his sovereign an authority which has been confided to him for the benefit of that sovereign, and employing in hostility against the supreme power of the state, the resources, military, naval, and financial, of an important portion of the empire itself; if, in short, he is, to use the words of the despatch, "a pasha disobedient towards his master, and depending upon all sorts of foreign influences," it is manifest that the continued existence of a subject in such a state of insubordination and enmity towards his sovereign, must be a source of weakness, and not of strength, to that sovereign, and must render him less, instead of more, able to defend himself against either foreign or domestic danger, and must therefore, according to the principles of M. Thiers' despatch, impair the balance of power.

But the opinion of the Turkish government, which may be allowed to be a competent judge on this matter, has for some time been, that the continued existence of Mehemet Ali in his present state of military power, and with his hostile intentions towards the sultan, is incompatible with the internal peace and integrity of the Ottoman empire, and destructive of the independence of the sultan as regards his relations with foreign powers: and, undoubtedly, the experience of the last few years has too fully shown that this opinion is not unfounded.

The extent of the limits within which it may be necessary to confine the delegated authority of Mehemet Ali, in order to make it probable that for the future he may be an obedient instead of a disobedient subject, and may, therefore, become a source of strength, instead of being a cause of weakness to the Ottoman empire, is a point upon which opinions may differ; and that question it is not requisite for me now to discuss. But her majesty's government conceives that whatever may be the opinions entertained on this point by foreign powers, such opinions can only serve to regulate the advice which those powers may tender to the sultan, or to determine the extent of the assistance which they may be disposed to afford him; but that it rests with the sultan, as sovereign of the Turkish empire, to decide which of his subjects shall be appointed by him to govern particular portions of his own dominions, and that no foreign power has a right to control the sultan in the discretionary exercise of one of the inherent and essential attributes of independent sovereignty.

The question of principle which I have thus adverted to, may probably not have any practical bearing upon events now in progress, but her majesty's government has felt anxious that it should not, by silence on this matter, leave its opinions liable to be misunderstood.

Your excellency will give a copy of this despatch to the minister for foreign affairs. I am, &c.,

(Signed) PALMERSTON.

GERMANIC DIET.

EXTRACT OF THE PROTOCOL OF THE SITTING OF THE MOST SERENE GERMANIC DIET, DATED NOV. 12, 1840.

SEC. 292 —COMMUNICATION MADE IN THE NAME OF AUSTRIA, PRUSSIA, RUSSIA, AND GREAT BRITAIN, RESPECTING THE CONVENTION CONCLUDED IN LONDON FOR THE PACIFICATION OF THE EAST.

The envoy of his imperial, royal, and apostolical majesty, the president of the diet, announces that he has been authorised to address to the most serene diet, in the name of the courts of Austria, Prussia, and Russia, official communications relative to the treaty concluded between those powers and the Ottoman Porte for the pacification of the East, and he adds that the minister of Great Britain has communicated the same treaty to the Germanic confederacy, to which he is accredited, and which returned to him thanks for that communication.

AUSTRIA AND PRUSSIA.—The envoy has been charged to communicate to the most serene diet a copy of the convention concluded in London on the 15th of July of the present year between the plenipotentiary ministers of the august courts of Austria, Prussia, Great Britain, and Russia on the one hand, and the plenipotentiary of the Ottoman Porte on the other, together with a copy of the protocol signed by the said plenipotentiaries, after the exchange of the ratifications of that convention.

The spirit in which the high contracting parties have concluded those treaties, and the object which they proposed to themselves, are too clearly exposed in those acts, and particularly in the protocol signed in London on the 17th of September of the present year, to require further explanation.

The preservation of the Ottoman empire in its integrity and independence is one of the essential conditions of the maintenance and consolidation of the general peace of Europe.

It is for the sake of guaranteeing so great an interest, an interest equally precious for princes and nations, that the four powers have concluded with the Porte the convention thus communicated.

The powers, in fulfilling this duty, conceive that they have acted with so much moderation and disinterestedness, that all the friends of peace and right will commend their conduct.

Austria and Prussia have no doubt that the high confederates will do justice to that spirit.

The note which M. d'Oubril, extraordinary envoy and plenipotentiary minister of his majesty the emperor of all the Russias accredited to the Germanic confederation, has sent in on that subject to the high diet, under date 24th of October (5th of November) of the present year, is of the following tenour:—

The undersigned, extraordinary envoy and plenipotentiary minister of his majesty the emperor of all the Russias, accredited to the most serene Germanic confederacy, has been charged by his august

government to communicate to the diet the convention concluded between the Ottoman Porte, Great Britain, Austria, Prussia, and Russia, with a view to secure the peace of Europe, by affording the sultan an efficacious assistance against the menaces and encroachments of one of his rebel vassals.

The text of this convention, which the undersigned has the honour to enclose herewith to his excellency count de Munch Bellinghausen, president of the diet, will prove to that high assembly that the allies have neglected none of the stipulations calculated to render their assistance efficacious for the Ottoman Porte, and at the same time to convince Europe, that none of the powers, parties thereto, have been actuated by personal views, and that the interest of Europe alone has prevailed in the combinations and resolutions which they were under a moral obligation to grant the Porte, since the latter had demanded and obtained the promise of their support, and had consequently relinquished the intention of treating separately with the rebel pasha.

The undersigned has the honour to invite his excellency count de Munch to place this convention, in the name of the imperial government of Russia, under the eyes of the ministers composing the diet, and he trusts that this illustrious assembly will recognise in that act the object for which it was concluded, namely, the maintenance of legitimate authority, and the re-establishment of peace in the Levant, on which depends that of the entire of Europe.

The undersigned, congratulating himself on being charged to give by this communication to the most serene German confederacy a mark of the special confidence and consideration of the emperor, his august sovereign, flatters himself that his excellency count de Munch will soon enable him to report to his court the sentiments with which it was received.

He avails himself of this opportunity to renew to his excellency the assurances of his high consideration.

The president here read the draught of a reply to be addressed to the extraordinary envoy plenipotentiary minister of his majesty the emperor of all the Russias, which was adopted by the diet.

Agreeably to the proposition made by M. de Mieg, envoy of his majesty the king of Bavaria, it was agreed that a becoming reply should be returned, in the name of the confederacy, to the courts of Prussia and Russia, expressive of the sentiments consigned in the answer which it had been resolved to give the imperial envoy of Russia.

In conformity with those resolutions it was unanimously decreed:—

1. To make known to the courts of Austria and Prussia, through the medium of their respective legations, that their communications have been received by the diet with the liveliest interest. In doing entire justice to the noble and disinterested intentions which the four powers have manifested on the occasion, the diet, full of confidence in the wisdom and moderation of the powers who have proposed to themselves the pacification of the East, hopes that the general peace of Europe will be preserved; a peace which, during a quarter of a century, has been the pride of the monarchs, and has ministered to the prosperity, and the deeply-felt wants of nations:

2. To forward, in the name of the president, to the imperial envoy of Russia the following reply:—

The undersigned, minister of Austria, president of the High German diet, has not failed to submit to the latter, at its sitting of this day, the note of his excellency M. d'Oubril, extraordinary envoy and plenipotentiary minister of his majesty the emperor of all the Russias, of 24th of October of the present year, having for its object the communication of the convention, which Great Britain, Austria, Prussia, and Russia concluded with the Sublime Porte on the 15th of July last.

This communication has been received by the high diet with the liveliest interest.

The diet acquiesces in the elevated and disinterested views manifested by the four powers, in the present circumstance; and, confiding in the wisdom and moderation of the powers, who have undertaken the task of pacifying the East, it indulges a hope that this convention will insure the maintenance of the peace of Europe—of that peace, which, during a quarter of a century, has been the pride of the sovereigns, has ministered to the prosperity of nations, and is for all a deeply-felt want.

The undersigned, &c.

Frankfort, Nov. 12, 1840.

DESPATCHES.

SYRIA.

Bombardment of Beyrout.

Extract of a Despatch from Admiral the Honourable Sir Robert Stopford, to R. M. O'Ferrall, Esquire, dated Princess Charlotte, D'Journie Bay, near Beyrout, September 20, 1840:—

I arrived off Beyrout on the morning of the 9th, where I found commodore Napier with the ships and vessels named in the margin.* The Turkish expedition under R. Admiral Walker of the Ottoman navy, joined at the same time from Cyprus, consisting of a line of battle ship, two frigates, and two corvettes, with twenty-four transports, carrying 5,373 troops, commanded by Selim pasha. Commodore Napier having previously examined the coast and selected a position, accompanied by lieutenant Aldridge of the engineers (for I lament to say lieutenant colonel sir Charles Smith has been so extremely ill since his arrival as to incapacitate him for any active duty) I directed the commodore to complete his plans and arrangements; and the same night the marines were removed to the steamers, and the whole amounting to about 7,000 Turks and allies, were in readiness to land in the morning; when after manœuvring some time before Beyrout, lined with Egyptian troops, in order to distract their attention the commodore hastened to the point of disembarkation, and succeeded without opposition or accident of any kind.

For a more minute detail of this operation, I must refer you to the commodore's letter of the 16th, a copy of which is herewith inclosed. Great praise is due to commodore Napier, whose indefatigable zeal and activity in securing his position were well seconded by the officers and men under his command.

In order to protect the landing, and insure the safety of the troops exposed to a sudden attack of an overwhelming force till the requisite defences were completed, I found it necessary to occupy the attention of the Egyptian army, which made a formidable appearance in armed masses along the hedges, and under cover of the gardens and broken ground between the town and sea, and

* Powerful, Ganges, Edinburgh, Revenge, Benbow, Pike, Gorgon, st. v. Hydra, st. v.

opened a fire upon them from the shipping, taking care to avoid injuring the town, while the Austrian frigate Guerriera, commanded by his royal highness prince Charles Frederick, Lipsia, corvette, and her majesty's brig Zebra took up a commanding position in St. George's Bay, enfilading the road by the beach, covering the bridge conducting to it, and drove the Egyptians from their encampment on the land side of the town.

On the forenoon of the 11th, a letter was sent by rear-admiral Bandiera and myself, in the name of the sultan, to Soliman pasha, the commander of the Egyptian troops (of which a copy is enclosed, as well as of his answer). Agreeably to his request, the letter was again sent in French, with instructions to the officers to wait half an hour for the answer, much time having previously been lost. At the end of that time a verbal message only was returned, that an answer would be sent the following morning; which being too palpably evasive, as circumstances then were, and that he might benefit by a night's delay, by which his troops might have been upon our quarters, and his powder and provisions removed without danger or accident from our fire, or otherwise profit by the interval, I ordered the fire to be renewed, and to be partially and sparingly kept up for the night against the fort only, and principally against one having mounted guns, in order to disturb their movements, as well as to sustain the confidence of the people of the country in our protection, and aid in the resumption of their allegiance to the sultan.

The mountaineers have come in, in considerable numbers, principally, I understand, Christians. Muskets, with ammunition, have been distributed with all possible discrimination and caution, and the demand for them is increasing. On being supplied they generally return to their abodes in the recesses of the mountains; some skirmishing is said to have taken place between them and the Egyptians; and captain Martin's letter of the 5th, of which a copy is enclosed, will show that good service had been done by a party of 250 of them at Batrona.

The line of operations taken up by the squadron extends from Tripoli to Caffa, beyond Acre, and several points commanding the road along the coast have been taken; but the Egyptian army said to be 15,000 strong, is concentrated within a few hours' march, and an advance post of about 400 men is seen on the brow of a hill near our camp. A new appointment of pasha has taken place, and Isset pasha has just arrived to take possession of his province.

We have been now ten days occupied incessantly on very active and fatiguing service, and it is gratifying to me to be enabled to notice to their lordships the fine spirit with which it has been carried on, both on shore and on board. Commodore Napier's letter will speak for the former, and my own observation bears equal testimony to the other; but where the exertions of all are so conspicuous, it would be as impossible as invidious to particularise individual merit.

From rear-admiral baron de Baudiera, I have received the most kind, ready, able, and efficient advice and assistance; and the zeal and active exertions of H.R.H. the archduke Charles Frederick of

Austria have been most prominent upon every occasion. The Austrian squadron has been of the greatest service on this expedition: 200 of their marines are now serving on shore with ours, and the labours and fatigue duties shared in common.

To the zealous, persevering, and active exertions of rear-admiral Walker, in command of the Ottoman squadron, his captain, officers, and men, much credit is due for the ready co-operation and good understanding kept up between the two services in the indefatigable performance of their arduous duties.

The steam-vessels have been eminently useful in constantly moving along a great extent of coast with troops and arms, and taken part in the attack upon the different forts, which services have been executed entirely to my satisfaction. I have, &c.

(Signed) ROBERT STOPFORD,
Admiral.

We the admirals of the British and Austrian squadrons, acting in obedience to the instructions of our respective governments, and in the interests of his highness the sultan, consider it our duty to represent to your excellency our earnest desire to stop the effusion of blood, and to call upon your excellency to withdraw your troops from Beyrout, and to deliver the town to our united forces to be retained in the name of the sultan.

Your excellency will have observed from the fire of the ships yesterday, a small specimen only of the course we shall be compelled to pursue.

The fire has not been pressed this morning, that your excellency may benefit by the pause, and upon reflection come to the decision, in consonance with our benevolent views to spare the innocent inhabitants from the inevitable horrors which a few hours would inflict upon them.

We request your excellency will send an answer, as soon as you can, or at the latest by half past one.

ROBERT STOPFORD, *Admiral.*
BANDIERA.

Off Beyrout, Thursday, 11, AM.
His excellency Soliman Pacha, Major-general of the Egyptian army, at Beyrout.

Beyrout, le 11 *Septembre*, 1840.

Le Général Soliman Pacha a l'honneur de prêsenter ses salutations à Messieurs les Amiraux des escadres Anglaise et Autrichienne, et en même temps il les prévient, que ne sachant pas lire la langue Anglaise, il lui est impossible de répondre à moins que Messieurs les Amiraux ne veuillent bien lui faire traduire en Francaise, et en Turque, ou en Arabe, leur communication.

EUJNT. Z. SULEIMAN.

A Messieurs les Amiraux commandant les Escadres Anglaise et Autrichienne Levant, Baurriet

The following is the verbal reply referred to in the despatch.

"That his highness was then engaged at a council of war, after which it was his intention to review his troops; but that his answer would be ready next morning."

I demanded at what hour; when the secretary, after a word or two with the captain of the port, fixed two hours after sunrise.

(Signed) ALEXANDER MURRAY,
Lieutenant.

Landing in D'Journie Bay.

Extract of a Letter from Commodore Napier, of Her Majesty's ship Powerful, to Admiral the Hon. Sir Robert Stopford, G.C.B., dated D'Journie, Head-Quarters of the Army of Lebanon, 16th September, 1840:—

In execution of your order of the 9th instant, I removed the whole of the Turkish troops from the transports and the marines of the squadron into the steamers. The Dido and Wasp took up an anchorage well up to Beyrout Point, in order to draw Soliman pasha's attention from the position I intended to disembark at. Soon after daylight, the squadron and steamers you had put under my orders weighed; the Turkish squadron, under admiral Walker, weighed also; and the whole with the exception of the Zebra, who flanked the Egyptian camp, worked up to Beyrout Point, where a considerable force of the enemy was in position.

When the breeze freshened the whole bore up for D'Journie. Castor and Hydra anchored close to Dog River, landed the Turkish troops, and completely blocked up the pass leading to D'Journie.

The Powerful and Pique, Gorgon, Cyclops, and Phœnix, followed by the Turkish squadron, ran into the bay of D'Journie, and landed the troops in an incredibly short time, owing to the excellent arrangement of captain Reynolds who took charge of the landing. Admiral Walker put his troops on shore at the same moment with great celerity and order; a position was then taken up, and the artillery landed, the few Albanians stationed here retired without firing a shot. The Carysfort and Dido went off D'Jebel about three leagues to the northward, to act against a strong tower, garrisoned by Albanian troops.

D'Journie is a good sized bay, with a promontory projecting considerably into the sea. A road from Beyrout lies along the shore, and is practicable for infantry, artillery, and cavalry; this road the Revenge covered. The road from Tripoli leads also along shore, and the Wasp and Phœnix covered a gorge, over which it would be necessary to pass. Two roads lead from Baalbeck by Antura, where an excellent position was taken up by two battalions of Turks, supported by five companies of marines. The left of this is protected by an impassable gorge, the right rests on the sea, Dog River separating it from high ground in front.

The first day the inhabitants who had been driven into the mountains, came in slowly for arms, but these few took them with great avidity, and hastened to the mountains to drive away the Emir Bechir's troops, and open the mountain passes,—this done the mountaineers have flocked in in great numbers, with the Sheiks, who have crowded to the standard of the sultan.

I beg to enclose captain Martin's report* of the occupation of D'Jebel and Batroun, in which he speaks highly of captain Austen, of the Cyclops, and of the officers employed.

* See my letter No. 99, 15th Sept.

I regret the loss he met with* it was not to be avoided. Many Albanians have suffered by their severity. The inhabitants of this city are most warlike and determined.

Ibrahim pasha reconnoitred our positions the day before yesterday.

I have sent a battalion of Turks in advance of Gazer to open the country, and give due notice, should he endeavour to turn our left by that road, which he will have some difficulty in doing, as the country is covered by the broadsides of the ships.

I have much reason to be satisfied with the zeal of the whole of the officers and seamen employed, their exertions in completing our lines under Mr. Aldridge, of the engineers, is beyond all praise.

Permit me, sir, to congratulate you on the first success of the army of Lebanon. You, yesterday, were witness of the arrival of his highness the Emir Abdallah, the governor of the district of Kisroonan, and of the enthusiasm of the mountaineers; and if this continues, I have every reason to think that the Egyptian army will be obliged to retire from the sea-coast, and the mountains of Lebanon.

I have, &c.

CHARLES NAPIER,
Commodore.

SKIRMISH ON THE KELBSON (DOG RIVER.)

Princess Charlotte, D'Journie Bay, October 8, 1840.

Sir,—In forwarding you the enclosed copy of a letter from Commodore Napier, I have great satisfaction in drawing your lordships' attention to the rapidity and gallantry displayed by the Turkish troops under his excellency Selim pasha's personal command, and of general Jochmus, the chief of the staff, and lieutenant Bradley, who were at the head of the skirmishers in this brave attack, which was crowned with complete success, between 400 and 500 out of 700 of the enemy, posted on a most advantageous position, on the crest of the mountains, having been killed, wounded, and taken prisoners, and the others dispersed, most of whom have since come over, as deserters, to the standard of the sultan. I have, &c.

ROBERT STOPFORD,
Admiral.

R. More O'Ferrall, esq.,
Admiralty, London.

Head-quarters, Army of Lebanon, D'Journie, Sept. 25, 1840.

Sir,—In obedience to your directions to drive the enemy from the position they had been fortifying for some days on the left of Kelbson (Dog River), I marched out of our cantonments at day-light of the 24th, with four Turkish battalions under his excellency Selim pasha, the 2nd battalion of royal marines, under captain Fegan, and an Austrian rocket detachment under Alfiere di Vasielli Baldisiretto.

The ground on either side of

* These returns have not been received.

Kelbson is very high and precipitous, and offers great advantages to the defending, and very considerable danger to the attacking party; to secure against this, a Turkish battalion descended unseen near the entrance of the gorge through which Dog River runs, and gained the heights on the other side; the marines and Austrian rocket detachment, covered by this battalion, crossed higher up, crowned the heights, and advanced on the enemy's position about two leagues off; the Turkish battalion remained in position to cover our right, in the event of Soliman pasha advancing from Beyrout to disturb our operations.

Three Turkish battalions, who descended into the gorge before the marines, pushed their way up the river, and advanced in a mountain path to turn the enemy's left; this being perceived, they abandoned their intrenchments and occupied a new position on the heights of Ornochojouen, about a league to the right of their intrenchment.

The Turks arrived with great rapidity and gallantry. General Jochmus, the chief of the staff, accompanied by my aid-de-camp, lieutenant Bradley, of the Powerful, put himself at the head of the skirmishers, and showed a noble example, which was as nobly followed by his excellency Selim pasha at the head of a battalion; the country people also joined and were not the last in advancing. The enemy's skirmishers were speedily driven in, and their main body, consisting of about 700 men, fired two vollies and retired in great confusion, the Turks following them up with so much vigour, that between 400 and 500 prisoners were made, and the rest dispersed.

The enemy moving from their first position, on which the marines advanced, threw them out, and the work was done entirely by the Turks: the marines were, however, most anxious to try their strength, and I hope an opportunity may soon offer.

This operation opened the whole district of Kata, and the mountaineers who had been driven from their homes flocked down in great numbers, and were immediately armed.

I have great reason to be satisfied with the conduct of his excellency Selim pasha, and with general Jochmus, who fearlessly exposed himself in front, accompanied by my young friend, lieutenant Bradley.

We have had a Turkish officer wounded, and two men killed.

Enclosed is a list of Turkish officers who particularly distinguished themselves, and who, I trust, will meet with some mark of favour from the sultan.

I have the honour, &c.

CHARLES NAPIER,
Commodore.

Admiral the hon. Sir R. Stopford, G.C.B. &c.

CAPTURE OF SIDON.

Head-quarters, Army of Lebanon, D'Journie, Sept. 29.

Sir,—I embarked at sunset of the 26th inst. in obedience to your directions, with a Turkish battalion, under commandant of battalion Homchild Aga, and the first battalion of royal marines, under captain Morison of the Princess Charlotte, in the two steamships Gorgon and Cyclops, and proceeded off Sidon; at daylight,

Thunderer and Austrian frigate Guerriere, Gul Sefide, Turkish corvette, and Wasp joined, as also the Stromboli, from England, with 284 marines, under captain Whylack. The wind being light, the Cyclops towed the Thunderer to her position, previously fixed by captain Berkeley; the Stromboli towed up the Guerriere and the Turkish corvette, who were placed by captain Berkeley abreast of the town. The Wasp and Stromboli anchored more to the southward to flank it. The Gorgon, and Cyclops, and Hydra, who joined from Tyre, with Walker Bey, took up their positions both northward, close to the castle. The enclosed summons was sent to the governor, which he refused to comply with.

The Turkish battalion was now put into the boats, and rendezvoused round the Cyclops; a few shot and shell were fired from the Gorgon at the castle and barracks, and shortly after the whole of the squadron opened their broadsides to drive the troops from the houses and the entrenchments they had thrown up to prevent a landing; in half an hour the firing ceased, and captain Austin landed the Turkish battalion in the castle, which is joined to the town by a narrow causeway; this was effected with some loss. As the enemy still stuck to their entrenchments, the fire of the ships was again opened, and the houses in front battered down.

Commander Mansel, of the Wasp, was directed to seize the first favourable opportunity of throwing the detachment of marines, brought out by the Stromboli and the Austrian marines, into the castle abreast of him, which he did with great gallantry and judgment.

Lieutenant Hockin, of the marines, and several men, were killed and wounded. They were directed to work their way to the upper castle, which commanded the town. The 1st battalion of marines were now landed by captain Henderson, of the Gorgon, on the beach to the northward of the town, when they formed and advanced to the walls. All being now ready, the Turkish battalion, headed by Walker Bey and captain Austin, pushed along the causeway and entered the town.

I put myself at the head of the British marines, and broke into the barracks. Captain Henderson and another party lodged themselves in a house above the barracks; this done, I marched the battalion along the line wall to the upper gate, broke it open, and seized the castle. All seemed now quiet below, and, leaving a guard in the castle, we descended through several streets arched over, where occasional skirmishing took place with detached parties of Egyptian troops, who were easily driven back, and finally took refuge in a vaulted barrack, where we found upwards of 1,000 men lying ready for a sortie, should occasion offer, or to lay down their arms, should they be discovered—the latter was their fate.

I congratulate you, Sir, on the success of this enterprise; the garrison consisted of nearly 3,000 men, and not one escaped: our force was under 1,000.

Our loss, which I enclose, has been trifling; one marine officer and three seamen killed; two mates, a boatswain, and thirty seamen wounded.

I have much reason to be satisfied with the conduct of the captains, officers, and men under my orders; all showed the greatest

zeal; English, Austrian, and Turks, vied with each other.

Commander Mansel is an old officer, well deserving of promotion. Messrs. M'Guire and Price, old mates, are both severely wounded, and behaved most gallantly, as did Mr. Cummings, mate of the Cyclops, whose conduct was seen by captain Berkeley, who wrote him a strong letter on the occasion, and I trust their lordships will promote them.

My aid-de-camp, lieutenant Bradley, was also forward on all occasions.

The archduke Frederick placed his ship well, and kept up an excellent fire; Walker Bey, Turkish rear-admiral, who was there by accident, was the first who advanced along the causeway.

My thanks are due to the hon. captain Berkeley, who assisted me on all occasions, as well as captains Henderson and Austin, commanders Robinson and Williams, and to the captain of the Turkish corvette, to captain Morison, who commanded the marine battalion, aud to captain Whylock, who commanded the marine detachment.

I am also much indebted to captain Lane, of the Prussian service, who is attached to my staff.

I have the honour, &c.

CHARLES NAPIER,
Commodore.

Admiral the hon. Sir Robert Stopford. G.C.B. &c.

P.S.—Since writing my public letter on the capture of Sidon, it has come to my knowledge that there was a complete race between Mr. James Hunt, midshipman of the Stromboli, and Signor Dominica Chinca, midshipman of the Austrian frigate Guerriere, who should first place the colours in the part of the town they were landed at.

BATTLE OF CALEB MEIDAN.

Powerful, D'Journie Bay, October 13, 1840.

Sir,—After the great advantages gained by the Emir Bechir over Osman pasha, at Marouba, it became necessary to move on Soliman pasha, defeat him, and obtain possession of Beyrout. I, in consequence, directed the Emir Bechir to join me on the heights of Ornschojouen on the 9th instant; and on the 8th, general Jochmus marched with four battalions, and was followed the day after by the Arab battalions, composed of the Turkish and Egyptian deserters.

On the 9th, two steam-boats anchored in St. George's Bay, with a Turkish and marine battalion ready to disembark when necessary; and at nine in the morning I arrived on the heights, and found that our pickets had been driven in by an enemy we did not expect in that quarter.

A Turkish battalion and the mountaineers sent them back; and on reconnoitring, I found, to my surprise, between 2,000 and 3,000 men in a position that appeared unassailable.

No time was to be lost, as the deserters assured me they expected a reinforcement of 2,000 men next morning.

My own position was strong, being on a long narrow range of hills; my left almost inaccessible, and my right protected by a deep gorge, at the head of which the hills on which I was posted, after a considerable descent, turned off

to the right. This part of the hill the enemy occupied in force, amongst rugged and apparently inaccessible rocks. A road, considerably below the top of the mountain, wound round it; above the first position there was a second still stronger, and above that again a third.

In the course of the day I learned that the Emir Bechir had crossed Dog River, and arrived at Beskintee in the enemy's rear.

I desired him to continue his march, and directed Omar Bey, who had been left with four battalions in our line, to march at night with two on Argostoun, descend into the deep gorge of Dog River with great caution and secresy, and cross over to Bookfega, in the rear of the enemy, and effect a junction with Emir Bechir: this movement was executed with great skill by Omar Bey, and about two o'clock we were delighted to hear a firing in the enemy's rear. By this time the other two Turkish battalions, who were ordered from our lines, were in sight, and another that I had passed over the gorge on our right was rapidly advancing on the enemy's left. All being prepared to the best of my ability, I directed the armed peasantry to throw themselves among the rocks, and advance on the enemy; and two Turkish battalions and the Arabs were held in readiness to march along the winding road. The peasantry took a long circuit on the enemy's left, and advanced unseen to the heights without firing a shot. A Turkish battalion now advanced *en tirailleurs* in front, which they did with caution, but great gallantry, under a very heavy fire, and as they advanced they unexpectedly found much good cover under the rocks.

A second battalion was directed to advance along the road in columns, headed by general Jochmus, but they broke into skirmishing parties. The Arab battalion was then advanced up in column, but they also broke into skirmishers, and the whole advanced with so much rapidity that I thought it best to keep my battalion in reserve to cover their retreat in case of disaster. This was a most anxious time, for our success depended on the steadiness of the Turks when they came in contact with the enemy on the top of the hill, but it was soon over; the moment the hill was crowned the firing ceased, and the Egyptians laid down their arms.

The reserve was now brought up, and the battalion which had crossed the gorge was making great progress on the enemy's left. A heavy fire was kept up from the second position, and I succeeded in getting the troops to make a second attack. The example of Selim pasha, general Jochmus, and the Turkish officers, who all behaved well, brought them up again, and in less than half an hour it became a complete rout, the enemy leaving all their baggage, ammunition, and provisions, in the second position.

Night put an end to the pursuit. Ibrahim pasha, who commanded, escaped with a few men, and the rest dispersed, leaving between 600 and 700 prisoners.

On the heights, at the end of the battle, our Arab battalion, seeing a force coming forward, took them for the enemy, and placed themselves in position under a wall, that had been thrown up to resist Omar Bey; he, on the other hand took them for the enemy, and a sharp fire was opened

on both sides. I, however, arrived in time to prevent mischief, which might have been serious.

A green Turkish standard was taken.

I have not been able to get the returns of killed and wounded, but I believe it to be under fifty; that of the enemy, from their position, must have been less.

The first effect of our forward movements, as you already know, has been the evacuation of Beyrout; the effect of our victory over Ibrahim, the entire disorganization and submission of the army of Soliman pasha, to the amount of nearly 3,000 men, and the whole of his artillery and stores.

I landed at D'Journie on the 10th of September, with the army you did me the honour of putting under my command, consisting of 1,500 Turkish troops, and marines, which has from time to time been reduced to half that number; and by the 10th of October, we have made about 5,000 prisoners, and nearly 5,000 deserters have come over. The whole of Lebanon is nearly free; Tripoli alone remains to be taken, which I am of opinion will be an easy conquest, if attacked immediately.

It is now my pleasing duty to express to you, sir, how much reason I have to be satisfied with the conduct of Selim pasha, general Jochmus, Omar Bey, and indeed all the Turkish officers.

Lieutenant Bradley has accompanied me on all occasions, and has been everywhere forward, and I beg strongly to recommend him for promotion. Mr. Pearse, the master of the Powerful, and my old companion in arms in Portugal, joined me as a volunteer, as did lieutenant Duncan, whom I sent to lead the mountaineers. I was also much indebted to her majesty's consul-general, lieutenant-colonel Hodges, who did me the honour of serving with me in this action.

I have requested Selim pasha to forward the names of the Turkish officers who particularly distinguished themselves, and which shall be forwarded as soon as possible.

On giving up the command of the army to sir Charles Smith, I beg to return my thanks to you for the confidence you have placed in me, and to assure you that I have spared no pains to render all the service in my power to the cause of the sultan.

I have the honour to be, &c.

CHARLES NAPIER,
Commodore.

Admiral Sir R. Stopford, &c.

P.S.—I forgot to mention that the Emir Bechir did not come up in time, but did good service in checking the reinforcement of 2,000 men that were intended to join Ibrahim.

BOMBARDMENT AND CAPTURE OF ACRE.

Admiralty, November 30.

Commodore R. F. Stopford, of her majesty's steam-vessel Phœnix, arrived at this office yesterday, with despatches from admiral the hon. sir Robert Stopford, G.C.B., of which the following are copies or extracts —

Princess Charlotte, Beyrout, October 31.

Sir,—I have the honour to acknowledge the receipt of their lordships' order of the 5th instant,

No. 322, with the letter therein referred to from viscount Palmerston, her majesty's principal secretary of state for foreign affairs, to make, under certain circumstances therein stated, an attack upon the fortress of St. Jean d'Acre, upon which I was previously deliberating, and preparing arrangements for insuring, as much as possible, its success. And I have now to acquaint you, for their Lordships' information, that, having embarked 3,000 Turkish troops and supernumerary marines in the different ships of the squadron, as per margin*, I shall proceed on that service the moment wind and weather will permit, with the Austrian squadron, under rear-admiral Bandeira, and the Turkish flagship, rear-admiral Walker, who had already preceded himself with a flag of truce, to summon the place, but was not received.

I have the honour to be, &c.,

ROBERT STOPFORD,
Admiral.

R. More O'Ferrall, esq., &c.

Princess Charlotte,
Off St. Jean d'Acre, Nov. 4.

Sir,—You will be pleased to acquaint the lords commissioners of the admiralty that the town and fortress of Acre were taken possession of by the allied forces under my command this morning in the name of the sultan.

The circumstances which led to this result occurred on the 3rd, when a heavy cannonade from the ships and vessels, beginning at 2 P.M. and ending at 5, completely demolished the town, and materially damaged the fortifications, inducing the Egyptians to evacuate the place in the night. A tremendous explosion of a large magazine of powder took place about 4 P.M. on the 3rd.

The attacks were made upon the west lines and the south face of the works, the former composed of the following ships:—viz., Princess Charlotte, Powerful, Bellerophon, Revenge, Thunderer, and Pique, under the immediate command of commodore Napier (as I thought it advisable to accompany colonel sir Charles F. Smith in the Phœnix steamer, to be ready to take advantage of any breach that might be made in either of the two sea faces of the walls of the place for an immediate assault). The south face, being a more contracted anchorage, was occupied by the Edinburgh, Benbow, Castor, Carysfort, Talbot, Wasp, and Hazard: the destruction caused by the fire of the ships on both sides sufficiently proves its rapidity and precision.

Rear-admiral baron de Bandeira, in the Austrian frigate Medea, and the Guerriero, under the command of his imperial highness the archduke Frederick, with the Arabian corvette Lipsia, rendered much assistance. Rear-admiral Walker Bey, in the sultan's ship Mookuddimay-i-hive, of 74 guns, took up a most favourable position opposed to the south face, and did good service.

The steamers Gorgon, Vesuvius, Phœnix, and Stromboli fired shot and shells into the town with much precision, and it is generally supposed that shells from the Gorgon occasioned the destruction of the powder magazine.

* Princess Charlotte, Powerful, Bellerophon, Revenge, Thunderer, Edinburgh, Benbow, Castor, Carysfort, Gorgon, Vesuvius, Stromboli, Phœnix, Turkish Admiral:—2,933 troops.

A flag of truce having been offered by the Turkish admiral and rejected a short time before, I did not think it necessary or becoming that the summons should be repeated, particularly as hostilities had already commenced, and the ships and steamers had been fired upon as they approached the walls.

I have not been able to ascertain the number of troops in the town of Acre at the commencement of our fire: they have been estimated at 4,500, besides a body of cavalry outside the town of 800. Many lives were lost by the explosion of the magazine. 700 Egyptians and two officers of rank came in this morning with their arms, and surrendered themselves as prisoners.

To colonel sir Charles Smith devolves the task of putting the town and fortifications into a posture of defence, and I am happy to find that his health enables him to perform his duty with his usual intelligence.

A great quantity of arms and ammunition was found at Acre, and the fortifications were fast getting into a state of preparation against attack.

I am much indebted to captain Edward Boxer, of the Pique, and to captain Codrington, of the Talbot, for the excellent surveys which they made of the shoals round Acre, which enabled the ships to go in without risk of getting ashore.

I return a list* of the killed and wounded in the allied squadrons, but the damage to the masts and rigging can be made good without the ships being sent off the station.

The success of this enterprise, so important in its results, has called for my acknowledgements in general orders to the officers and men of the combined squadrons, whose united exertions had so much contributed to its attainment.

I have the honour to be, &c.,

ROBERT STOPFORD,
Admiral.

R. More O'Ferrall, esq., &c.

Admiralty, Dec. 14.

A despatch was yesterday received at this office from admiral the hon. sir Robert Stopford, G.C.B., addressed to R. More O'Ferrall, esq., of which the following is a copy:—

Princess Charlotte,
Off St. Jean d'Acre, Nov. 8, 1840.

Since my letter of the 4th another explosion has taken place of a magazine of live shells, from a smouldering fire under the rubbish of the former, which it had been found almost impossible entirely to subdue; one marine of the Benbow was killed, and several others slightly hurt; but I regret to say that gallant officer, captain Collier, of the Castor, who had so distinguished himself in the attack, was severely wounded, having his leg fractured, and several other hurts of a slighter description, which require his removal to Malta; and the Castor, having her bowsprit badly wounded, and other masts and spars shot away. I have ordered her and the Wasp, having her foremast disabled, into Malta to refit, and rejoin me with all despatch.

One thousand prisoners have been sent away in the Turkish flag-ship, 18 officers and a party of soldiers by the Talbot, to Constantinople, and 2,000 to Beyrout, by the Bellerophon, Thunderer, Re-

* Total killed, 18.—Total wounded, 41.

venge, and Edinburgh; and the garrison being placed in a state of order and tolerable security, under sir Charles Smith, is to be left with 3,000 Turkish troops, under Selim pasha, and about 250 marines under lieut.-col. Walker, with the protection of the Pique and Stromboli, and occasional visits of other ships, as circumstances require.

The Hazard resumes her station at Tyre, and commodore Napier proceeds from Beyrout to take charge of the squadron off Alexandria—Benbow, Magicienne, and Daphne—at Scanderoon and the neighbourhood.

The people of the country seem very firm in the cause, and keep the neighbourhood clear of Mehemet Ali's troops. Abundance of ammunition and stores have been found in the place, and arms have been sent in the Benbow and Powerful for distribution to the inhabitants to the northward. Among those who surrendered themselves was the Polish colonel Schultz, the chief engineer, who has been sent as a prisoner to Constantinople; he was wounded, and says it was quite impossible to withstand such an incessant stream of fire as was poured from our guns, which I found, on going round the ramparts with sir Charles Smith, had torn and almost demolished many of the embrasures, and disabled the guns in such a manner that it did appear extraordinary that the garrison should have made so good a defence, for the state of devastation was beyond description.

When I see the effects of our fire upon so formidable a fortress, I cannot help feeling the greatest obligation to every officer and man engaged in this enterprise. The cool, steady, and beautiful style in which the ships and vessels, through shoals and banks, came into their positions, and the noble spirit that animated the whole, in the destructive fire opened and maintained against a very smart return from the forts and batteries, were most gratifying, and drew forth my admiration, being enabled in the steamer to observe the simultaneous attacks on both faces; but where all were animated with the same spirit, and each did his duty to my heart's content, it cannot be possible for me to single out cases of individual merit. I may be allowed to observe, however, that in confiding to captain Fanshawe, my flag-captain (who had been of great service to me in the previous details and arrangements on this and former occasions during the expedition), the charge of conducting my flag-ship, while it behoved me to survey and direct the whole, he most ably fulfilled his trust.

Lieut. Granville, my flag-lieutenant, besides the duties he had to perform in the signals, was actively employed in the boats communicating with the different ships along the line of the two divisions, as necessity required; I would, therefore, beg to recommend him to their lordships' notice, and I should feel gratified by any mark of approbation their lordships may be pleased to bestow on the senior officers of each class for their gallant conduct, in common with all, on this important occasion.

I am, &c.,

ROBERT STOPFORD,
Admiral.

AFFGHANISTAN.

Storming of Ghuzni.

From Lieutenant-General Sir John Keane to the Governor-General of India, dated Headquarters, Camp Ghuzni, July 24, 1839.

I have the satisfaction to acquaint your lordship, that the army under my command have succeeded in performing one of the most brilliant acts it has ever been my lot to witness during my service of forty-five years in the four quarters of the globe, in the capture, by storm, of the strong and important fortress and citadel of Ghuzni yesterday.

It is not only that the Affghan nation, and, I understand, Asia generally, have looked upon it as impregnable; but it is in reality a place of great strength, both by nature and art, far more so than I had reason to suppose from any description that I had received of it, although some are from officers in our own service, who had seen it in their travels. I was surprised to find a high rampart in good repair, built on a scarped mound, about thirty-five feet high, flanked by numerous towers, and surrounded by a *fausse braie* and a wet ditch, whilst the height of the citadel covered the interior from the commanding fire of the hills from the north, rendering it nugatory. In addition to this, screen walls had been built before the gates, the ditch was filled with water and unfordable, and an outwork built on the right bank of the river, so as to command the bed of it. It is, therefore, the more honourable to the troops, and must appear to the enemy out of all calculation extraordinary, that a fortress and citadel, to the strength of which, for the last thirty years, they had been adding something each year, and which had a garrison of 3,500 Affghan soldiers, commanded by prince Mahomed Hyder, the son of Dost Mahomed Khan, the ruler of the country, with a commanding number of guns, and abundance of ammunition and other stores, provisions, &c., for a regular siege, should have been taken, by British science and British valour, in less than two hours from the time the attack was made; and the whole, including the governor and garrison, should fall into our hands.

My despatch of the 20th inst., from Nanee, will have made known to your lordship, that the camps of his majesty Shah Shoojaool-Moolk and of major-general Willshire, with the Bombay troops, had there joined me, in accordance with my desire, and the following morning we made our march of twelve miles to Ghuzni, the line of march being over a fine plain. The troops were disposed in a manner that would have enabled me, at any moment, had we been attacked, as was probable from the large bodies of troops

moving on each side of us, to have placed them in position to receive the enemy. They did not, however, appear, but on our coming within range of the guns of the citadel and fortress of Ghuzni, a sharp cannonade was opened on our leading column, together with a heavy fire of musketry from behind garden walls, and temporary field-works thrown up, as well as the strong outwork I have already alluded to, which commanded the bed of the river from all but the outwork. The enemy were driven in under the walls of the forts in a spirited manner by parties thrown forward by major-general sir W. Cotton, of the 16th and 48th Bengal N. I., and H. M.'s 13th light infantry, under brigadier Sale. I ordered forward three troops of horse artillery, the camel battery, and one foot battery to open upon the citadel and fortress, by throwing sharpnel shells, which was done in a masterly style under the direction of brigadier Stevenson. My object in this was to make the enemy show their strength in guns, and in other respects, which completely succeeded, and our shells must have done great execution and occasioned great consternation. Being perfectly satisfied on the point of their strength, in the course of half an hour I ordered the fire to cease, and placed the troops in bivouac. A close reconnoisance of the place all round was then undertaken by captain Thomson, the chief engineer, and captain Peat, of the Bombay engineers, accompanied by major Garden, the deputy quarter-master-general of the Bengal army, supported by a strong party of H. M. 16th lancers, and one from H. M. 13th light infantry. On this party a steady fire was kept up, and some casualties occurred. Captain Thomson's report was very clear: he found the fortifications equally strong all round; and, as my own opinion coincided with his, I did not hesitate a moment as to the manner in which our approach and attack upon the place should be made. Notwithstanding the march the troops had performed in the morning, and their having been a considerable time engaged with the enemy, I ordered the whole to move across the river (which runs close under the fort-wall), in columns to the right and left of the town, and they were placed in position on the north side, on more commanding ground, and securing the Cabul-road. I had information that a night attack upon the camp was intended from without. Mahomed Ubzul Khan, the eldest son of Dost Mahomed Khan, had been sent by his father with a strong body of troops from Cabul to the brother's assistance at Ghuzni, and was encamped outside the walls, but abandoned his position on our approach, keeping, however, at the distance of a few miles from us. The two rebel chiefs of the Ghilzie tribe, men of great influence, viz., Abdool Rhuman and Gool Mahomed Khan, had joined him with 1,500 horse, and also a body of about 3,000 Ghazees from Zeimat, under a mixture of chiefs and mollahs, carrying banners, and who had been assembled on the cry of a religious war. In short, we were in all directions surrounded by enemies. These last actually came down the hills on the 22nd, and attacked the part of the camp occupied by his majesty Shah Shooja and his own troops, but were

driven back with considerable loss, and banners taken.

At daylight, on the 22nd, I reconnoitered Ghuzni, in company with the chief engineer, and the brigadier commanding the artillery, with the adjutant and quarter-master-general of the Bengal army, for the purpose of making all arrangements for carrying the place by storm, and these were completed in the course of the day. Instead of the tedious process of breaching (for which we were ill-prepared), captain Thomson undertook, with the assistance of captain Peat, of the Bombay engineers, and lieutenants Durand and Macleod, of the Bengal engineers, and other officers under him (captain Thomson), to blow in the Cabul gate, the weakest point, with gunpowder, and so much faith did I place on the success of this operation, that my plans for the assault were immediately laid down, and the orders given.

The different troops of horse artillery, the camel and foot batteries, moved off their ground at twelve o'clock that night, without the slightest noise, as had been directed, and in the most correct manner took up the position assigned them, about 250 yards from the walls. In like manner, and with the same silence, the infantry soon after moved from their ground, and all were at their post at the proper time. A few minutes before three o'clock in the morning the explosion took place, and proved completely successful. Captain Peat, of the Bombay engineers, was thrown down and stunned by it, but shortly after recovered his senses and feeling. On hearing the advance sounded by the bugle (being the signal for the gate having been blown in), the artillery, under the able directions of brigadier Stevenson (consisting of captain Grant's troop of Bengal horse artillery, the camel battery, under captain Abbott, both superintended by captain Pew), captains Martin and Cotgrave's troops of Bombay horse artillery, and captain Lloyd's battery of Bombay foot artillery, all opened a terrific fire upon the citidel and ramparts of the fort, and in a certain degree paralysed the enemy.

Under the guidance of captain Thomson, of the Bengal engineers, the chief of the department, colonel Dennie, of H. M. 13th light infantry, commanding the advance, consisting of the light companies of H. M. 2nd and 17th regiments of foot, and of the Bengal European regiment, with one company of H. M. 13th light infantry, proceeded to the gate, and with great difficulty, from the rubbish thrown down, and the determined opposition offered by the enemy, effected an entrance, and established themselves within the gateway, closely followed by the main columns, led in a spirit of great gallantry by brigadier Sale, to whom I had entrusted the important post of commanding the storming party, consisting (with the advance abovementioned) of H. M. 2nd foot under major Carruthers, the Bengal European regiment, under lieutenant-colonel Orchard, followed by H.M. 13th light infantry, under major Thomson, and H.M. 17th regiment, under lieutenant-colonel Croker. The struggle within the fort was desperate for a considerable time. In addition to the heavy fire kept up, our troops were assailed by the enemy sword in hand, and with daggers, pistols, &c.; but British courage, perseverance, and fortitude overcame all

opposition, and the fire of the enemy in the lower area, on the fort, being nearly silenced, brigadier Sale turned towards the citadel, from which could now be seen men abandoning the guns, running in all directions, throwing themselves down from immense heights, endeavouring to make their escape; and on reaching the gate with H. M. 17th, under lieutenant-colonel Croker, followed by the 13th, forced it open; at five o'clock in the morning the colours of H. M. 13th and 17th were planted on the citadel of Ghuzni, amidst the cheers of all ranks. Instant protection was granted to the women found in the citadel (among whom were those of Mahomed Hyder, the governor), and sentries placed over the magazines for its security. Brigadier Sale reports having received much assistance from captain Kershaw, of H. M. 13th light infantry, throughout the whole of the service of the storming.

Major-general sir Willoughby Cotton executed, in a manner much to my satisfaction, the orders he had received. The major-general followed closely the assaulting party into the fort with the reserve,—namely, brigadier Roberts, with the only available regiment of his brigade, the 35th N.I., under lieutenant-colonel Monteath; part of brigadier Sale's brigade, the 16th N.I., under major Maclaren; and 48th N.I., under lieutenant-colonel Wheeler; and they immediately occupied the ramparts, putting down opposition wherever they met any, and making prisoners, until the place was completely in our possession. A desultory fire was kept up in the town, long after the citadel was in our hands, from those who had taken shelter in houses, and in desperation kept firing on all that approached them. In this way several of our men were wounded and some killed; but the aggressors paid dearly for their bad conduct in not surrendering when the place was completely ours. I must not omit to mention that three companies of the 35th N.I., under captain Hay, ordered to the south side of the fort to begin with a false attack, to attract attention to that side, performed that service at the proper time, and greatly to my satisfaction.

As we were threatened with an attack for the relief of the garrison, I ordered the 19th Bombay N.I., under the command of lieutenant-colonel Stalker, to guard the Cabul road, and to be in support of the cavalry division. This might have proved an important position to occupy, but, as it was, no enemy appeared.

The cavalry division under major-general Thackwell, in addition to watching the approach of an enemy, had directions to surround Ghuzni, and to sweep the plain, preventing the escape of runaways from the garrison. Brigadier Arnold's brigade—the brigadier himself, I deeply regret to say, was labouring under very severe illness, having shortly before burst a blood-vessel internally, which rendered it wholly impossible for him to mount a horse that day — consisting of H. M. 16th lancers, under lieutenant-colonel Persse, temporarily commanding the brigade, and major M'Dowell, the junior major of the regiment (the senior major of the 16th lancers, major Cureton, an officer of great merit, being actively engaged in the execution of his

duties as assistant-adjutant-general to the cavalry division), the 2nd cavalry, under major Salter, and the 3rd, under lieutenant-colonel Smith, were ordered to watch the south and west sides. Brigadier Scott's brigade were placed on the Cabul road, consisting of H. M. 4th light dragoons, under major Daly, and of the 1st Bombay cavalry, under lieutenant-colonel Sandwith, to watch the north and east sides. This duty was performed in a manner greatly to my satisfaction.

After the storming, and that quiet was in some degree restored within, I conducted his majesty Shah Soojah-ool-Moolk, and the British envoy and minister, Mr. Macnaghten, round the citadel and a great part of the fortress. The king was perfectly astonished at our having made ourselves masters of a place, conceived to be impregnable when defended, in the short space of two hours, and in less than forty-eight hours after we came before it. His majesty was, of course, greatly delighted at the result. When I afterwards, in the course of the day, took Mahomed Hyder Khan, the governor, first to the British minister and then to the king, to make his submission, I informed his majesty that I had made a promise that his life should not be touched, and the king in very handsome terms assented; and informed Mahomed Hyder, in my presence, that although he and his family had been rebels, yet he was willing to forget and forgive all. Prince Mahomed Hyder, the governor of Ghuzni, is a prisoner of war in my camp, and under the surveillance of sir Alexander Burnes, an arrangement very agreeable to the former.

From major-general sir W. Cotton, commanding the 1st infantry division of the Bengal army, I have invariably received the strongest support; and, on this occasion, his exertions were manifest in support of the honour of the profession and of our country. I have likewise at all times received able assistance from major-general Willshire, commanding the 2d infantry division of the Bengal army, which it was found expedient on that day to break up, some for the storming party, and some for other duties. The major-general, as directed, was in attendance upon myself. To brigadier Sale I feel myself indebted for the gallant and soldier-like manner in which he conducted the responsible and arduous duty intrusted to him in command of the storming party, and for the arrangements he made in the citadel immediately after taking possession of it. The sabre-wound which he received in the face did not prevent his continuing to direct his column until every thing was secure; and I am happy in the opportunity of bringing to your lordship's notice the excellent conduct of brigadier Sale on this occasion. Brigadier Stevenson, in command of the artillery, was all I could wish; and he reports that brigade-majors Backhouse and Coghlan ably assisted him. His arrangements were good, and the execution done by the arm he commands were such as cannot be forgotten by those of the enemy who have witnessed and survived it. To Brigadier Roberts, to colonel Dennie, who commanded the advance, and to the different officers commanding regiments already mentioned, as well as to the other officers and gallant soldiers under them, who

so nobly maintained the honour and reputation of our country, my best acknowledgments are due. To captain Thomson, of the Bengal engineers, the chief of the department with me much of the credit of the success of this brilliant *coup-de-main* is due. A place of the same strength, and by such simple means as this highly-gifted and scientific officer recommended to be tried, has, perhaps, never before been taken; and I feel I cannot do sufficient justice to captain Thomson's merits for his conduct throughout. In the execution he was ably supported by the officers already mentioned; and so eager were the other officers of the engineers of both presidencies for the honour of carrying the powder-bags, that the point could only be decided by seniority, which shows the fine feeling by which they were animated,

I must now inform your lordship, that since I joined the Bengal column in the valley of Shawl, I have continued my march with it in the advance, and it has been my good fortune to have had the assistance of two most efficient staff-officers in major Craigie, deputy-adjutant-general, and major Garden, deptuty-quarter-master-general. It is but justice to those officers, that I should state to your lordship the high satisfaction I have derived from the manner in which all their duties have been performed up to this day, and that I look upon them as promising officers to fill the higher ranks. To the other officers of both departments I am also much indebted for the correct performance of all duties appertaining to their situations. To major Keith, the deputy-adjutant-general, and major Campbell, the deputy-quarter-master-general of the Bombay army, and to all the officers of both departments under them, my acknowledgments are also due, for the manner in which their duties have been performed during this campaign. Captain Alexander, commanding the 4th Bengal local horse, and major Cunningham, commanding the Poonah auxiliary horse, with the men under their orders, have been of essential service to the army in this campaign. The arrangements made by superintending surgeons Kennedy and Atkinson, previous to the storming, for affording assistance and comfort to the wounded, met with my approval. Major Parsons, the deputy-commissary-general, in charge of the department in the field, has been unremitting in his attention to keep the troops supplied, although much difficulty is experienced, and he is occasionally thwarted by the nature of the country and its inhabitants. I have throughout this service received the utmost assistance I could derive from lieutenant-colonel Macdonald, my officiating military secretary, and deputy-adjutant-general of H.M. forces, Bombay; from captain Powell, my Persian interpreter, and the other officers of my personal staff. The nature of the country in which we are serving prevents the possibility of my sending a single staff officer to deliver this to your lordship, otherwise I should have asked my aide-de-camp, lieutenant Keane, to proceed to Simla, to deliver this despatch into your hands, and to have afforded any further information that your lordship could have desired.

The brilliant triumph we have obtained, the cool courage displayed, and the gallant bearing of the troops I have the honour to

command, will have taught such a lesson to our enemies in the Affghan nation, as will make them hereafter respect the name of a British soldier.

Our loss is wonderfully small, considering the occasion; the casualties in killed and wounded amount to about 200. The loss of the enemy is immense. We have already buried of their dead nearly 500, together with an immense number of horses. I enclose a list of the killed, wounded, and missing. I am happy to say, that although the wounds of some of the officers are severe, they are all doing well.

It is my intention, after selecting a garrison for this place, and establishing a general hospital, to continue my march to Cabul forthwith.

List of killed, wounded, and missing, in the army under the command of lieutenant-general sir John Keane, G.C.B., and G.C.H., in the assault and capture of the fortress and citadel of Ghuzni, on the 23rd of July, 1839.

Total killed—3 serjeants or havildars, 14 rank and file. Total wounded—1 colonel, 1 lieutenant-colonel, 2 majors, 4 captains, 8 lieutenants, 2 ensigns, 7 sergeants or havildars, 140 rank and file, 8 horses. Total missing—1 rank and file. Grand total on the 21st and 23rd of July, killed, wounded and mission — 91 officers and men, and 16 horses.

Memorandum of the Engineers' Operations before Ghuzni, in July, 1839.

The accounts of the fortress of Ghuzni, received from those who had seen it, were such as to induce his excellency the commander-in-chief to leave in Kandahar the very small battering train then with the army, there being a scarcity of transport cattle. The place was described as very weak, and completely commanded from a range of hills to the north.

When we came before it on the morning of the 21st July, we were very much surprised to find a high rampart in good repair, built on a scarped mound, about thirty-five feet high, flanked by numerous towers, and surrounded by a *fausse-braie*, and a wet ditch. The irregular figure of the *enceinte* gave a good flanking fire, whilst the height of the citadel covered the interior from the commanding fire of the hills to the north, rendering it nugatory. In addition to this the towers at the angles had been enlarged, screen walls had been built before the gates, the ditch cleared out, and filled with water (stated to be unfordable), and an outwork built on the right bank of the river, so as to command the bed of it. The garrison was variously stated from three to four thousand strong, including 500 cavalry; from subsequent information we found that it had not been overrated.

On the approach of the army a fire of artillery was opened from the body of the place, and of musketry, from the neighbouring gardens. A detachment of infantry cleared the latter, and the former was silenced for a short time by shrapnels from the horse artillery. But the fire from the new outwork on the bank of the

river was in no way checked. A nearer view of the works was however obtained from the gardens which had been cleared. This was not at all satisfactory—the works were evidently much stronger than we had been led to anticipate, and such as our army could not venture to attack in a regular manner with the means at our disposal. We had no battering train, and to besiege Ghuzni in form, a much larger train would be required than the army ever possessed. The great height of the parapet above the plain (sixty to seventy feet) with the wet ditch, were insurmountable obstacles to an attack merely by mining or escalading.

It therefore became requisite to examine closely the whole contour of the place, to discover if any other mode of attack could be adopted. The engineers, with an escort, went round the works, approaching as near as they could find cover; the garrison were on the alert, and kept up a hot and well-directed fire upon the officers, whenever they were obliged to show themselves. However, by keeping the infantry beyond musket range, and the cavalry at a still greater distance, only one man was killed, and one wounded, the former being hit by men sent out of the place to drive off the reconnoitring party.

The fortifications were found equally strong all round, the only tangible point observed was the Cabul gateway, which offered the following advantages for a *coup-de-main*:—the road up to the gate was clear, the bridge over the ditch was unbroken, there were good positions for the artillery within 350 yards of the walls on both sides of the road, and we had information that the gateway was not built up, a reinforcement from Cabul being expected.

The result of this reconnoissance was a report to his excellency the commander-in-chief, that if he decided upon the immediate attack of Ghuzni, the only feasible mode of proceeding, and the only one which held out a prospect of success, was a dash at the Cabul gateway, blowing the gate open by bags of gunpowder.

His excellency decided on the attempt, the camp was moved that evening to the Cabul road, and next morning (the 22nd) Sir John Keane in person reconnoitered the proposed point of attack; he approved of the plan, and gave orders for its execution. Preparations were made accordingly, positions for the artillery were carefully examined, which excited the jealousy of the garrison, who opened a smart fire on the party.

It was arranged that an explosion party, consisting of three officers of engineers (captain Peat, lieutenants Durand and Macleod,) three serjeants, and eighteen men of the sappers, in working dresses, carrying 300lbs. of powder in twelve sand-bags, with a hose seventy-two feet long, should be ready to move down to the gateway at daybreak. At midnight the first battery left camp, followed by the other four at intervals of half an hour. Those to the right of the road were conducted to their positions by lieutenant Sturt, of the engineers; those to the left, by lieutenant Anderson. The ground for the guns was prepared by the sappers and pioneers, taking advantage of the inequalities of the ground on the right, and some old garden walls on the left. The artillery was all in position and ready by three, A.M., of the 23rd,

and shortly after, at the first dawn, the party under captain Peat moved down to the gateway, accompanied by six men of H. M. 13th light infantry, without their belts, and supported by a detachment of the same regiment, which extended to the right and left of the road when they arrived at the ditch, taking advantage of what cover they could find, and endeavouring to keep down the fire from the ramparts, which became heavy on the approach of the party, though it had been remarkably slack during the previous operations. Blue-lights were shown, which rendered the surrounding objects distinctly visible, but luckily they were burned from the top of the parapet, instead of being thrown into the passage below.

The explosion party marched steadily on, headed by lieutenant Durand: the powder was placed, the hose laid, the train fired, and the carrying party retired to tolerable cover, in less than two minutes. The artillery opened when the blue lights appeared, and the musketry from the covering party at the same time. So quickly was the operation performed, and so little were the enemy aware of the nature of it, that not a man of the party was hit.

As soon as the explosion took place, captain Peat, though hurt by the concussion—his anxiety preventing his keeping sufficiently under cover—ran up to the gate, (accompanied by a small party of M. H. 13th light infantry,) and ascertained that it was completely destroyed. There was some delay in getting a bugler to sound the advance, the signal agreed on for the assaulting column to push on, and this was the only mistake in the operation.

The assaulting column consisted of four European regiments*, commanded by brigadier Sale. The advance, under lieutenant-colonel Dennie, accompanied by lieutenant Sturt, engineers, moved steadily through the gateway, though a passage inside the gate, ending in a domed building with the opening on one side, made everything very obscure, and rendered it difficult to find the outlet into the town. They met with little opposition, but a party of the enemy, seeing a break in the column, owing to the difficulty in scrambling over the rubbish in the gateway, made a rush, sword in hand, and cut down a good many men, wounding the brigadier and several other officers. These swordsmen were repulsed, and there was no other regular opposition, the surprise and alarm of the governor and sirdars being so great, when they saw the column occupying the open space inside the gate and firing on them, that they fled, accompanied by their men—even the garrison of the citadel following the example. Parties of the Affghans took refuge in houses, firing on the column as it made its way through the streets, and a good deal of desultory fighting took place in consequence, by which some loss was sustained. The citadel was occupied as soon as daylight showed that it had been evacuated by the enemy—and the whole of the works were in our possession before five o'clock.

We lost 17 men (6 Europeans and 11 natives) killed; 18 officers, 117 Europeans, and 30 natives wounded; total 182. Of the Affghans, more than 514 were killed

* H. M. 2nd—B. E. Regiment—H. M. 13th—H. M. 17th.

in the town, that number of bodies having been buried, and about 100 outside by the cavalry: 1,600 prisoners were taken, but I have no means of estimating the number of wounded.

There were nine guns, of different calibres, found in the place —a large quantity of good powder, considerable stores of shot, lead, &c., and a large supply of otta and other provisions.

GEO. THOMSON,
Chief Engineer, Army of the Indus.

Camp Ghuzni, 25th July, 1839.

OCCUPATION OF CABUL.

EXTRACT FROM A LETTER FROM HIS EXCELLENCY LIEUTENANT-GENERAL SIR JOHN KEANE, G.C.B., AND G.C.H., DATED HEAD-QUARTERS, CAMP CABUL, AUGUST 8TH, 1839.

It gives me infinite pleasure to be able to address my despatch to your lordship from this capital, the vicinity of which his majesty Shah Soojah-ool-Moolk, and the army under my command, reached the day before yesterday. The king entered his capital yesterday afternoon, accompanied by the British envoy and minister, and the gentlemen of the mission, and by myself, the general and staff-officers of this army, and escorted by a squadron of H. M. 4th light dragoons, and one of H. M. 16th lancers, with captain Martin's troop of horse artillery. His majesty had expressed a wish that British troops should be present on the occasion, and a very small party only of his own Hindoostanee and Affghan troops. After the animating scene of traversing the streets and reaching the palace in the Bala Hissar, a royal salute was fired, and an additional salvo in the Affghan style, from small guns, resembling wall-pieces, named gingalls, and carried on camels. We heartily congratulated his majesty on being in possession of the throne and kingdom of his ancestors, and upon the overthrow of his enemies; and, after taking leave of his majesty we returned to our camp.

I trust we have thus accomplished all the objects which your lordship had in contemplation, when you planned and formed the army of the Indus, and the expedition into Affghanistan. The conduct of the army, both European and native, which your lordship did me the honour to place under my orders has been admirable throughout, and, notwithstanding the severe marching and privations they have gone through, their appearance and discipline have suffered nothing, and the opportunity afforded them at Ghuzni of meeting and conquering their enemy, has added greatly to their good spirits.

The joint despatch addressed by Mr. Macnaghten and myself to your lordship on the 3rd instant, from Shikarbad, will have informed you, that at the moment we had made every preparation to attack, on the following day, Dost Mahomed Khan, in his position at Urgbundee, where, after his son Mahomed Akhbar had joined him from Jellalabad, he had an army amounting to 13,000 men, well armed and appointed, and thirty

pieces of artillery, we suddenly learned that he abandoned them all, and fled with a party of horsemen on the road to Bamian, leaving his guns in position as he had placed them to receive our attack. It appears, that a great part of his army, which was hourly becoming disorganised, refused to stand by him in the position to receive our attack, and that it soon became in a state of dissolution. The great bulk immediately came over to Shah Soojah, tendering their allegiance, and I believe his majesty will take most of them into his pay.

It seems, that the news of the quick and determined manner in which we took their stronghold, Ghuzni, had such an effect upon the population of Cabul, and perhaps also upon the enemy's army, that Dost Mahomed from that moment began to lose hope of retaining his rule for even a short time longer, and sent off his family and valuable property towards Bamian, but marched out of Cabul with his army and artillery, keeping a bold front towards us until the evening of the 2nd, when all his hopes were at an end by a division in his own camp, and one part of his army abandoning him. So precipitate was his flight, that he left in position his guns, with their ammunition and waggons, and the greater part of the cattle by which they were drawn. Major Cureton, of H. M. 16th lancers, with his party of 200 men, pushed forward on the 3rd, and took possession of those guns, &c. There were twenty-three brass-guns in position, and loaded; two more at a little distance, which they attempted to take away; and since then three more abandoned still further off on the Bamian road—thus leaving in our possession twenty-eight pieces of cannon, with all the *matérial* belonging to them, which are now handed over to Shah Soojah ool-Moolk.

Storming of Khelat.

From Major-general Sir Thomas Willshire, K.C.B., to the Governor-general of India.

November 14, 1839.

My Lord,—In obedience to the joint instructions furnished to me by his excellency the commander-in-chief of the army of the Indus, and the envoy and minister to his majesty Shah Soojah, under date Cabul the 17th September, 1839, deputing to me the duty of deposing Mehrab Khan of Khelat, in consequence of the avowed hostility of that chief to the British nation during the present campaign, I have the honour to report, that on my arrival at Quetta, on the 31st ult., I communicated with captain Bean, the political agent in Shawl, and arranged with him the best means of giving effect to the orders I had received.

In consequence of the want of public carriage and the limited quantity of commissariat supplies at Quetta, as well as the reported want of forage on the route to Khelat, I was obliged to despatch to Kutch Gundava the whole of the cavalry and the greater portion of the artillery, taking with me only the troops noted in the mar-

gin,* and leaving Quetta on the 3rd inst.

During the march the communications received from Mehrab Khan were so far from acceding to the terms offered, that he threatened resistance if the troops approached his capital. I therefore proceeded and arrived at the village of Giranee, within eight miles of Khelat, on the 12th inst.

Marching thence the following morning, a body of horse were perceived on the right of the road, which commenced firing on the advanced guard, commanded by major Pennycuick, H.M.'s 17th regiment, as the column advanced, and the skirmishing between them continued until we came in sight of Khelat, rather less than a mile distant.

I now discovered that three heights on the north-west face of the fort and parallel to the north were covered with infantry, with five guns in position, protected by small parapet walls.

Captain Peat, chief engineer, immediately reconnoitered, and having reported that nothing could be done until those heights were in our possession, I decided upon at once storming them simultaneously, and, if practicable, entering the fort with the fugitives, as the gate in the northern face was occasionally opened to keep up the communication between the fort and the heights.

To effect this object, I detached a company from each of the European regiments from the advanced guard with major Pennycuick, H.M.'s 17th regiment, for the purpose of occupying the gardens and enclosures to the north-east of the town, and two more companies in the plain midway between them and the column; at the same time I ordered three columns of attack to be formed, composed of four companies from each corps, under their respective commanding officers. Major Carruthers of the Queen's, lieutenant-colonel Croker, H.M.'s 17th regiment, and major Western, 31st Bengal N.I., the whole under the command of brigadier Baumgardt, the remainder of the regiments forming three columns of reserve under my own direction to move in support.

A hill being allotted to each column, brigadier Stevenson, commanding the artillery, moved quickly forward in front towards the base of the heights, and when within the required range opened fire upon the infantry and guns, under cover of which the columns moved steadily on and commenced the ascent for the purpose of carrying the heights, exposed to the fire of the enemy's guns, which had commenced while the columns of attack were forming.

Before the columns reached their respective summits of the hills, the enemy, overpowered by the superior and well-directed fire of our artillery, had abandoned them, attempting to carrying off their guns, but which they were unable to do; at this moment, it appearing to me the opportunity offered for the troops to get in with the fugitives, and if possible gain possession of the gate of the fortress. I despatched orders to the queen's royal and 17th regiments to make a rush from the heights for that purpose, following myself to the

* Two guns Bombay horse artillery; four ditto, Schah's ditto; 2 Ressalagh's local horse; Queen's royals; H.M's 17th regiment; 31st regiment Bengal N.I.; Bombay engineers.

summit of the nearest to observe the result; at this moment the four companies on my left, which had been detached to the gardens and plain, seeing the chance that offered of entering the fort, moved rapidly forward from their respective points towards the gateway under a heavy and well directed fire from the walls of the fort and citadel, which were thronged by the enemy.

The gate having been closed before the troops moving towards it could effect the desired object, and the garrison, strengthened by the enemy driven from the heights they were compelled to cover themselves as far as practicable behind some walls and ruined buildings to the right and left of it, while brigadier Stevenson, having ascended the heights with the artillery, opened two guns under the command of lieutenant Foster, Bombay, horse artillery, upon the defences above the gate and its vicinity, while the fire of two others, commanded by lieutenant Cowper, schah's artillery were directed against the gate itself; the remaining two, with lieutenant Creed, being sent round to the road on the left hand leading directly up to the gate, and when within 200 yards commenced fire for the purpose of completing in blowing it open, and after a few rounds they succeeded in knocking in one-half of it; on observing this I rode down the hill towards the gate, pointing to it, thereby announcing to the troops it was open; they instantly rose from their cover and rushed in; those under the command of major Pennycuick, being the nearest, were the first to gain the gate, headed by that officer, the whole of the storming columns from the three regiments rapidly following and gaining an entrance, as quick as it was possible to do so, under a heavy fire from the works and from the interior, the enemy making a most gallant and determined resistance, disputing every inch of ground up to the walls of the inner citadel.

At this time I directed the reserve column to be brought near the gate, and detached one company of the 17th regiment, under captain Darley, to the western side of the fort, followed by a portion of the 31st Bengal N.I., commanded by major Western, conducted by captain Outram, acting as my extra aide-de-camp, for the purpose of securing the heights under which the southern angle is situated and intercepting any of the garrison escaping from that side; having driven off the enemy from the heights above, the united detachments then descended to the gate of the fort below and forced it open before the garrison (who closed it as they saw the troops approach) had time to secure it.

When the party was detached by the western face, I also sent two companies from the reserve of the 17th under major Deshon, and two guns of the schah's artillery, under the command of lieutenant Creed, Bombay artillery, by the eastern to the southern face, for the purpose of blowing open the gate above alluded to, had it been necessary, as well as the gate of the inner citadel; the infantry joining the other detachments making their way through the town in the direction of the citadel.

After some delay the troops that held possession of the town at length succeeded in forcing an en-

trance into the citadel, where a desperate resistance was made by Mehrab Khan at the head of his people, he himself with many of his principal chiefs being killed sword in hand; several others, however, kept up a fire upon our troops from detached buildings difficult of access, and it was not until late in the afternoon those that survived were induced to give themselves up on a promise of their lives being spared.

From every account, I have reason to believe the garrison consisted of upwards of 2,000 fighting men, and that the son of Mehrab Khan had been expected to join him from Norosky with a further reinforcement; the enclosed return will show the strength of the force under my command present at the capture.

The defences of the fort, as in the case of Giznee, far exceeded in strength what I have been led to suppose from previous report, and the towering height of the inner citadel was most formidable both in appearance and reality.

I lament to say that the loss of killed and wounded on our side has been severe, as will be seen by the accompanying return; that on the part of the enemy must have been great, but the exact number I have not been able to ascertain; several hundreds of prisoners were taken, from whom the political agent has selected those he considers it necessary for the present to retain in confinement; the remainder have been liberated.

It is quite impossible for me sufficiently to express my admiration of the gallant and steady conduct of the officers and men upon this occasion, but the fact of less than an hour having elapsed from the formation of the columns for the attack, to the period of the troops being within the fort, and this performed in the open day, and in the face of an enemy so very superior in numbers, and so perfectly prepared for resistance, will, I trust, convince your lordship how deserving the officers and troops are of my warmest thanks, and of the highest praise that can be bestowed.

To brigadier Baumgardt, commanding the storming column, my best thanks are due, and he reports that captain Willie, acting assistant adjutant-general, and captain Gilland, his aide-camp, ably assisted him and zealously performed their duties; also to brigadier Stevenson, commanding the artillery, and lieutenants Forster and Cowper, respectively in charge of the Bombay and schah's artillery. I feel greatly indebted for the steady and scientific manner in which the service of dislodging the enemy from the heights, and afterwards effecting an entrance into the fort, was performed. The brigadier has brought to my notice the assistance he received from captain Coghlan, his brigade-major, lieutenant Woosman his aide-camp, and lieutenant Creed when in battery yesterday.

To lieutenant-colonel Croker, commanding H.M.'s 17th regiment, major Carruthers, commanding the queen's royals, major Western, commanding the Bengal 31st N.I., I feel highly indebted for the manner in which they conducted their respective columns to the attack of the heights and afterwards to the assault of the town, as well as to major Pennycuick of the 17th, who led the advanced guard companies to the same point.

To captain Peat, chief engineer,

and to the officers and men of the engineer corps, my acknowledgments are due; to major Neil Campbell, acting quarter-master general of the Bombay army; to captain Hagart, acting deputy adjutant-general; and to lieutenant Ramsay, acting assistant quarter-master-general, my best thanks are due for the able assistance afforded me by their services.

From my aides-de-camp, captain Robinson and lieutenant Halket, as well as from captain Outram, who volunteered his services on my personal staff, I received the utmost assistance, and to the latter officer I feel greatly indebted for the zeal and ability with which he has performed various duties that I have required of him upon other occasions as well as the present.

It is with much pleasure that I state the great assistance I have received from captain Bean in obtaining supplies.

T. WILLSHIRE,
Major-General, commanding Bombay column, Army of the Indus.

BATTLE OF BAMEEAN.

FROM BRIGADIER DENNIE TO SIR WILLOUGHBY COTTON.

Camp, Bameean, Sept. 18, 1840.

Sir,—My last communication will have apprised you of our having crossed the Irak mountain.

At the urgent representations of Dr. Lord, political agent, of the proximity of the enemy to Bameean, I continued to press on to its relief by forced marches, and arrived here on the 14th inst. That same evening, having drawn out the Ghoorkah regiment, I disarmed captain Hopkins's corps of Affghans, who, although loaded, offered no resistance; and this essential duty, I am happy to say, was performed without difficulty. Finding no enemy in the neighbourhood, I proceeded to make arrangements for an advance on Syghan, where it appeared the enemy really was in force.

These measures were, however, rendered unnecessary by his actual but unexpected presence.

Allow me to congratulate you on our having obtained a complete and decisive victory over the conjoint army of Dost Mahomed Khan and his Oosbeg allies under the Walee of Khooloom. Last evening I received information from my advanced posts that bodies of cavalry were entering the valley from the great defile in our front, six miles hence. Wishing to draw them well on, I did not 'discourage their approach; but, learning this morning that they had attacked a fortified village that was friendly to us, and as these people had claims on our protection, it became necessary to drive off their assailants.

From the reports brought in I was led to conclude that only a few hundreds had entered the valley, and therefore took with me only one-third of our force, with a six-pounder gun and howitzer.

I confess I was taken by surprise, after driving in what proved to be only their advanced party, to find an army in my front. To have sent back for reinforcements would have caused delay and given confidence to the enemy; it would have checked the forward feeling that animated the party with me and gave assurance of success.

The enemy had got possession of the chain of forts before us, reaching to the mouth of the defile. They drew up, and attempted to make a stand at each, with the main body, while their wings crowned the heights on either side. In dislodging them from the latter, I am sorry to say the Ghoorkahs suffered. After four or five volleys, seeing our steady and rapid advance, the whole force appeared to us to lose heart, and fled to the gorge of the pass. I now ordered the whole of the cavalry in pursuit. who drove them four miles up the defile, cutting down great numbers, and scattering them in all directions, many throwing away their arms and escaping up the hills.

Of the deserters from captain Hopkins's corps, not a few have paid the penalty of their treachery, and their muskets and accoutrements were found in all directions.

The Dost, and his son, Mahomed Afzul Khan, and the Walee, owed their escape to the fleetness of their horses, and were last seen with not more than 200 followers around them.

The prisoners report that the ex-chief was wounded early in the day. His only gun, his kettle-drums, with his camp, ammunition, and provisions, have fallen into our hands.

The number of the enemy was at least 6,000, and those chiefly Oosbegs.

I can form no accurate estimate of their killed and wounded, but their loss must have been considerable.

I enclose a list of our casualties, and my order of the day, in which I have endeavoured to express my sense of the conduct of the officers and men in this brilliant affair.

I have, &c.,

W. H. Dennie,
Brigadier Commanding
The Northern Frontier.

Major-General Sir Robert Sale, K.C.B., to Major-General Sir Willoughby Cotton, G.C.B, and K.C.H.

Camp, Purwan, Nov. 2, 1840.

Sir,—Having received intelligence that Dost Mahomed Khan, with a number of armed followers, had taken possession of some forts in this direction, from which he proposed moving to-day towards the Ghorebund Pass, with the view of effecting a junction with his son Mahomed Afzul Khan, I determined on endeavouring to frustrate the attempt.

Accordingly at six A.M. I broke up my camp at Baian, the fort of Meer Musjeedee, and moved on this position.

An advanced column, consisting of four companies of H.M.'s 13th light infantry, the two flank companies of the 37th N.I, one company of the 27th N.I., the two six-pounders of the schah's, two squadrons of the 2nd light cavalry, and 200 of Anderson's horse, the whole under the command of lieutenant-colonel Salter, preceded the main body, which was commanded by myself.

On approaching Purwan, the forts and villages were rapidly evacuated by the enemy, who were seen flying to the hills in great numbers; I cannot compute them at fewer than 500 horse and 3,500 foot; the native reports received swell their numbers to a much higher amount.

Dr. Lord, who accompanied co-

lonel Salter to procure information, sent word that he believed if the cavalry proceeded in advance they would be able to cut off some of the fugitives, and in compliance with his request the 2nd cavalry were ordered to skirt the hill to the right, while the schah's horse, under captain Anderson, took post on the left of the pass, to prevent any of the enemy attempting to escape in the direction of Ghorebund. The infantry followed, but their movements were greatly retarded by the guns, the progress of which was much impeded by the numerous water-courses that intersected the road.

The 2nd cavalry had preceded the column about a mile, when a body of the enemy's horse, about 200 in number, supposed to be headed by Dost Mahomed in person, came down the hill to attack them. The cavalry was formed into line, and led on to the charge by captains Fraser and Ponsonby, commanding the two squadrons. It is my painful duty to record that the gallant bearing of these officers was but ill seconded by their men; they both found themselves in the midst of the enemy, unsupported by their troopers, and after being most severely wounded, extricated themselves with difficulty, and found their men flying before the enemy. I deeply regret to state that lieutenant Crispin, the adjutant of the regiment, was cut down and killed, leading his men into action; Dr. Lord was also most unfortunately killed in this affair; and lieutenant Broadfoot, of the engineers, who was also in advance, is missing.

Of the gallantry of captain Fraser and the other officers of the 2nd cavalry, who led the squadrons of the regiment on this occasion, I cannot speak too highly, and I regret that their noble example, and the opportunity offered to the 2nd cavalry of adding to its laurels, have been thus neglected by them.

The two flank companies of the 37th regiment, and one company of the 27th regiment, supported by two guns from captain Abbott's battery, and followed by some of the Jaun Bazees, now ascended the hill overlooking the pass and valley of Purwan, which was crowded by the enemy's infantry, and cleared it in brilliant style, the enemy deserting their positions one after the other, and flying in the direction of the Punjshere Valley, where they still cover the hill-side in great numbers.

The enemy, however, are at two great a distance to admit of my following up the advantage I have obtained this evening, the whole of the troops having been under arms for nine hours; I have, therefore, encamped on the ground, taking every precaution to guard against a night attack.

I beg to enclose the accompanying casualty return, from which you will perceive that, excepting the serious disaster sustained in the affair of the 2nd cavalry, but little loss has resulted from the day's operations.

I have, &c.,
R. Sale,
Major-General.

Return of Killed, Wounded, and Missing.

1 adjutant, 1 subadar, 1 jemadar, 2 sepoys, killed; 2 captains, 1 subadar, 2 havildars, 25 sepoys, 16 horses, wounded; 1 lieutenant, 3 havildars, 1 naick, 7 sepoys, 1 syce, 12 horses, missing.

Surrender of Dost Mohamed.

From Sir William Macnaghten to the Secretary to the Government of India:—

(Extract.)

I have the honour to acquaint you, for the information of the right hon. the governor-general of India, in council, that Dost Mohamed Khan, the ex-chief of Cabul, surrendered himself to me yesterday evening.

I was returning from my evening ride, and within a few yards of my own residence in the citadel, when a single horseman* galloped up to me, and, having satisfied him that I was the envoy and minister, told me that Dost Mahomed Khan was arrived and sought my protection.

Dost Mohamed Khan rode up to me, and alighted from his horse. After the usual salutations, I begged him to mount again, and we proceeded together to my residence, in the compound of which I have pitched a tent for the ex-chief, and have provided him with everything necessary for his comfort. He assured me he had not been off his horse for twenty-four hours, yet he showed but little symptoms of fatigue, and his self-possession was very remarkable. He put his sword into my hand as a token of submission, but I at once returned it to him, and he seemed grateful for this mark of confidence. He asked about his family; and, at his own suggestion, and in my presence, he wrote letters to his son, Mahomed Afzul Khan, and to his two sons whose escape from Ghuznee was recently reported, desiring them to come in immediately, as he himself had confided in my protection, and been honourably received.

Capture of Aden.

Copy of a Letter from Captain Smith, of H.M.S. Volage, to Rear Admiral Sir Frederick L. Maitland, dated Aden, Back Bay, Jan. 22, 1839.

Her Majesty's Ship, Volage, Aden, Back Bay, Jan. 22, 1839.

Sir,—I have the honour to inform your excellency, that the expedition under my command against this place anchored in the afternoon of the 16th inst.

The same evening I received a letter (No. 1.) from the political agent, informing me that all negotiation on his part had failed, and that hostilities had already commenced. On receipt of this letter, I communicated with major Baillie, the officer commanding the troops, and we determined to lose no time in attacking the place.

The 17th was spent in drawing up the plan of the attack, and in making the necessary preparations. On the morning of the 18th I weighed with the squadron to pro-

* This horseman afterwards proved to be sultan Mahomed Khan, of Najrod, whose name I have frequently had occasion to bring to the notice of his lordship in council, as an active intriguer in favour of the ex-chief.

ceed to the front of the town, which I reached in the afternoon, in company with the cruiser (towing a mortar boat and the Mahé schooner. On standing in towards the island of Seerah, a fire was opened on the ship with musketry and several large guns, when I commenced a partial attack. The Coote (corvette) and transports not having come up, I hauled off, and anchored for the night. On the morning of the 19th, the whole force having arrived, I made the signal to prepare to attack, and the troops to be held in readiness for landing in two divisions: at half-past nine o'clock the Volage anchored, with a spring on her small bower cable, in four fathoms water, at about 300 yards distance from the lower battery on the island of Seerah; at the same time the Mahé took up her position to the southward of the island.

On standing in, the enemy opened the fire of great guns and musketry on us, but the ship being laid so close to the shore, the guns on the heights were rendered useless, their shot passing over us. At 10 o'clock, the cruiser anchored, and was of essential service in destroying the flank of the battery. During this period a heavy firing was kept up, but in a short time two of the guns in the lower battery were dismounted, and most of the people were driven from the remainder; they, however, took shelter behind the ruins of the battery, and kept up an incessant fire of musketry on the ships, and although the lower battery was almost knocked to pieces, still we had great difficulty in dislodging the men. At this period I directed the fire to be opened on the round tower and batteries on the heights, which were filled with men armed with matchlocks, and in the course of one hour I had the satisfaction to see this tower (though eighty feet high, and strongly built) a mass of ruins.

At 11 o'clock the Coote anchored with the second division of the troops to the southward of the island, and opened her fire upon the town. Finding the firing had not ceased from the lower battery, I directed the Mahé schooner to proceed to the end of it, and endeavour to drive out the men from behind it by musketry: this service was performed by her commander, lieut. Daniels, in a most gallant manner, but I regret to say that Mr. Nesbitt, midshipman, was severely wounded.

The firing having now almost totally ceased, I gave directions for the boats of both divisions to land. Lieut. Dobree, who had charge of the first division, Mr. Rundle, mate, and a quarter-master of this ship, were the first on shore, and made for a 68-pounder, which had been fired at us several times, when a matchlock was fired at the quarter-master by a man behind the gun, and who was immediately cut down by him, and the first British flag was planted by Mr. Rundle. So completely were the enemy driven from all points (with the exception of the island) by the fire of the ships, that the whole of the troops landed with the loss of only two men killed and three wounded.

A partial firing was still kept up from the island, when I directed lieut. Dobree (who had returned), with two mates (Messrs. Stewart and Rundle), with a party of seamen, and lieut. Ayles with the marines, amounting altogether to fifty, to land and take possession of it; this was gallantly accomplished,

the party ascending the heights, spiking and dismounting the guns, taking the flag which had been flying from the tower, and making prisoners of 139 armed Arabs, who were conducted from the island to the main by the party, and given over into the charge of major Osborne. In an attempt to disarm the prisoners (made by the military) they made a most formidable resistance, and I regret to say, that several lives were lost on both sides.

Mr. Nesbitt, a midshipman of the Mahé, was the only person hurt on board the squadron; and on the part of the military, sixteen were killed and wounded, most of them dangerously, and one sergeant has since died.

The enemy's guns were served badly and fired irregularly, they appearing to have most confidence in their matchlocks; and there can be no doubt that if it had not been for the total destruction of their defences by the squadron, the troops would not have been able to have accomplished their landing without a very severe loss.

I have not been able to ascertain the number of armed men that defended the town, but from what I can learn there must have been upwards of 1,000; nor can I come at the exact number that were killed or wounded; twenty-five dead bodies were found on the island of Seerah alone, several in the town, and this moment there are twenty-five wounded lying in the mosque, amongst whom is the sultan's nephew, who defended the island.

I beg to recommend to your notice the gallant conduct and services of lieut. Dobree, and Messrs. Stewart and Rundle (mates): nor can I omit mentioning the assistance I received from captain Haines, the political agent, who, from his local knowledge, piloted the ship in, which enabled me to take up so effective a position.

I herewith transmit to your excellency a plan of the attack (No. 2), and a list of the ordnance stores (No. 3), captured.

Lieut. Dobree is now employed with a party of men in endeavouring to get off the three large brass Turkish guns, which it is the wish of the captors should be presented to her most gracious majesty.

I intend to send the cruiser to Barbara for water, and I shall leave this place as soon as tranquillity is restored, and measures are taken for the security of the troops.

I have, &c.

H. Smith,
Captain,
Commanding the Expedition.

His Excellency, Rear-Admiral Sir F. L. Maitland, K.G.C.B. &c., East Indies.

Return of Brass and Iron Ordnance captured at Aden, on the 19th of January, 1839.

In battery, on carriages: — 1 brass 85-pounder, 1 brass 68-pounder, 1 brass 32-pounder dismounted by fire of the squadron, 4 iron 18-pounders, dismounted by fire of the squadron, 2 iron 12-pounders, 5 iron nine-pounders dismounted and thrown into the sea by sailors, 5 iron 6-pounders, 1 iron 4-pounder, 5 iron 3-pounders.

Not in battery:—1 brass 89-pounder, 6 iron 6-pounders, 1 iron 4-pounder.—Total 33 guns.

3,000 pounds of powder, 1,200 shot of sizes, (85 stone), 88 grape shot, 2 pigs of lead, 114 matchlocks.

CHINA.

Action between H.M.S. Volage and Hyacinth and a Squadron of Chinese Junks.

Copy of a Letter from Captain Smith, of her Majesty's Ship Volage, detailing the particulars of the Action in which that Ship was engaged with the War Junks of the Chinese Government.

H. M. Ship Volage,
Hong Kong, 6 November, 1839.

Sir,—Since closing my despatch of the 22nd ultimo, informing your excellency of the re-opening of the trade, I regret to acquaint you, that the whole of the arrangements have been broken up by the imperial commissioner, and that a very severe conflict has taken place, attended with, I am afraid, great loss of life, between her majesty's ships under my orders, and the Chinese flotilla, under the command of their admiral.

On the 28th, I received from the chief superintendent a despatch, No. 1, a copy of which, with my reply thereto, I herewith transmit, and having observed with great uneasiness a large armed force encamped at the back of the boundary-wall of Macao, and the erection of several batteries in the neighbourhood of the shipping at Hong Kong, as well as an increased number of war junks in the adjacent bay; and taking into consideration the threats for the seizure of the chief superintendent and her majesty's subjects, contained in the proclamations of the high commissioner and the governor, I concurred in opinion with him, that the time had arrived for taking some moderate but decided step to avert the evils with which the lives and property of her majesty's subjects were menaced.

For this purpose, I proceeded with the chief superintendent in her majesty's ship under my command, and the Hyacinth, to the Bogue, anchoring at the usual place on the morning of the 2nd instant. I sent lieutenant Hamilton, accompanied by Mr. Morrison, the Chinese interpreter, to the admiral with a letter, No. 3, to the imperial commissioner: these gentlemen were well received by him, and were told by that officer, an answer would be sent the following day; at the same time observing, that it would be better if the ships were to remove further down. Having no intention to intimidate or overawe them, I complied with this request by shifting the ships three miles down, abreast the island of Lankeet.

In the evening of that day, a pilot came on board, to say that nothing was wanted but a reply to my letter: next morning, a linguist came on board, with a similar message, and was answered in the same manner as on the preceding evening.

At about 9, 30, A.M., I observed the whole flotilla getting under weigh, and bearing down upon us. Her majesty's ships immediately weighed anchor, and stood under easy sail, when the junks and fire-vessels (29 in number) anchored in a line about a mile from us. I immediately sent by the linguist, who had not at this time left the

ship, a note, No. 4; he returned in a short time, bringing back my letter to the imperial commissioners, and the reply to my note, No. 5.

After this want of courtesy, I did not conceive that it would be becoming the dignity of our flag, the safety of the merchant shipping below, and my own character, to retire before such an imposing force, sent out at that moment evidently for the purpose of intimidation.

Under these circumstances, a little after noon I made the signal to attack, and opened fire upon the junks; it was returned for some time with good spirit; but the effects of our shot were soon visible, one junk having blown up, three sunk, several shattered and deserted by their crews, and the remainder retiring in great confusion to the anchorage above the battery.

I must here bear testimony to the gallantry of the Chinese admiral, who in a junk, mounting twelve guns, bore down upon the ships, and sustained for some time a very heavy fire; he was at last compelled to turn, his vessel evidently being in a sinking state.

One man in the Hyacinth was slightly wounded, and I am happy to say his majesty's ships did not suffer in this encounter; the Hyacinth, who was for some time surrounded by junks, has got her main-yard so much damaged that I fear it will be necessary to get a new one.

Having effected the object I had in view, namely, the return of these vessels above the fort, and not wishing to cause any unnecessary bloodshed, made the signal at about one to annul the action, and returned that night to Macao; and having embarked a number of British residents who had returned there during the time negotiations were pending, proceeded to Hong Kong, having left the Hyacinth at Macao, at the suggestion of his excellency the governor.

I have, &c.,
(Signed) H. Smith,
Captain.

His Excellency Rear Admiral
Sir F. L. Maitland, K.C.B.,
Commander-in-Chief, &c.,
East Indies.

Proceedings of H.M.S. Blonde at Amoy.

Her Majesty's ship Blonde,
At sea, July 4, 1840.

Sir, I have the honour to report to you, that, in obedience to your orders, I anchored, in her majesty's ship, under my command, off the town of Amoy, on the 2nd instant, and hoisting a flag of truce, endeavoured to open a communication with the authorities; but the only persons who visited the ship were servants of the mandarins and of such inferior note as not to admit of my intrusting them with your communication for the admiral, who was not himself in the port. I, however, sent on shore to say to the mandarin that I should send an officer to wait on him with your communication, at the same time explaining the nature of a flag of truce, to which they replied, "very well," and begged that he might land at the fort.

I then sent an officer, accom-

panied by a gentleman speaking Chinese, in a boat bearing a flag of truce, directing him to land at the fort; but, on his reaching it, he found a body of 200 or 300 soldiers drawn up to oppose his landing, and they were directed to return on board, with abusive and opprobrious language. I now adopted other measures to communicate, which proved equally ineffectual.

During this time the military and people were bringing down guns and men, and making other warlike demonstrations, and continued thus employed until the night closed in. As the day dawned of the 3rd, we observed that they had formed an encampment on the beach, and had placed five guns *à fleur d'eau*, a little to the eastward of a casement battery, they already had, at the entrance of the inner harbour, and that some of the larger junks were brought down and armed, while a number of smaller ones were being filled with troops, and placed in the vicinity of her majesty's ships, as if with the intention of boarding. Unwilling to notice these hostile preparations, while there was a possibility of avoiding a rupture, her majesty's ship merely prepared for battle, until the sea breeze set in, when I weighed, and running within 400 yards, anchored with springs upon our cable upon the angle of the casemate battery, so as to command it and the junks at the same time.

I now made another attempt to communicate through Mr. Thom, the gentleman attached to this ship as interpreter, (who very handsomely volunteered his services at great personal risk,) in the jolly-boat unarmed, and bearing a flag of truce; but the troops were brought to the beach, and he was repulsed with abusive language and threats; and contrary to all usage, a fire commenced upon his boat, the batteries opening at the same moment on her majesty's ship. I instantly hauled the flag of truce down and returned the fire. Our first broadside dismounted the greater part of the guns in the eastern battery, and the second silenced both, putting to flight the troops formed in the neighbourhood. I then confined the fire of this ship entirely to the fort and armed junks, and continued until the former was in ruins, and the latter had disappeared excepting one, whose crew having abandoned her, I sent an officer to throw her armament into the sea, and set her on fire. During this affair the neighbouring hills were crowded with spectators, and the inner harbour with trading vessels, both of which might with equal facility have been destroyed, but I considered that in confining the chastisement to those who had insulted her majesty's flag, and outraged a law acknowledged by all civilized nations, I should best follow out your views.

I am happy to say that this service was performed without the loss of a man on board her majesty's ship, but that of the enemy must have been severe, as the dead were strewed upon the beach in numbers, where encamped. Conceiving that any other attempt at amicable communication would be fruitless, I weighed with the evening tide, in the further prosecution of your orders.

It only remains for me to state, that the conduct of the officers and ships' companies under my command, and the officer and party of royal artillery embarked

on board, was entirely satisfactory, and I am happy in having this opportunity to acknowledge the assistance I have upon all occasions received from Mr. Coulson, the senior lieutenant, in the formation of a young ship's company. I have, &c.

T. Bourchier,
Captain.

Capture of Chusan.

To his Excellency the right honourable Earl Auckland, G.C.B., Governor-general of India, &c. &c.

Brigade Head-Quarters, City of Ting-hae-heen, July 18, 1840.

My Lord,—I have the honour to acquaint your lordship, that on the 4th inst., her majesty's ships Wellesley, Conway, and Alligator (to the former of which I had transferred brigade head-quarters, in compliance with the wishes of sir Gordon Bremer), with the troop-ship Rattlesnake, and two transports, arrived in the anchorage off Chusan harbour, the ships of war taking up a position in front of a hill, upon which there was a large temple, or Josshouse. In the evening a summons was sent to the admiral, who was also governor of the Chusan group of islands, calling upon him to surrender the island, and soliciting him to do so, that blood might not be shed in useless opposition. The officers bearing the summons returned with the Chinese admiral to the Wellesley, accompanied by two mandarins, and although they acknowledged their incapacity to resist, they attempted, by evasion and requests, to obtain time, and left the ship without any satisfactory result; but perfectly understanding, that if submission was not made before daylight next day, hostilities must commence.

On the morning of the 5th, the hill and shore were crowded with a large body of troops, and from the mast-head of the ships the city was seen at the distance of a mile from the beach, the walls of which were also lined with troops. On Temple Hill, the landing-place or wharf, and a round tower adjacent, there were twenty-four guns of small calibre, independent of a number of war-junks; and from their proceedings, it appeared that resistance was to be offered. As both wind and tide were against the transports, and only 350 men, including marines, were in the harbour, I availed myself of the time offered to reconnoitre the beach beyond Temple Hill, with a view of landing at some distance from the batteries, but which I abandoned, as, if opposed there, the shipping must have opened their fire on the different batteries, and the result have been the same with respect to loss of life as of opening upon the batteries at once; besides which, it was not considered expedient to take from the ships of war, under the prospect of action, so many hands as were required to man the boats.

About two o'clock P.M., her majesty's brigs Cruiser and Algerine had got into position, and as the transports then entered the harbour, the signal was given for landing in rotation, as boats could be supplied, in the following order:—

First division.—18th royal Irish,

royal marines, two nine-pounders, and 26th regiment. Second division.—Volunteer corps and 49th regiment, and detachment of sappers and miners.

On the 18th and royal marines quitting their ships for the boats, the waving of flags and beating of gongs and drums gave further intimation of decided hostile intentions on the part of the Chinese.

As previously arranged with his excellency sir G. Bremer, commander-in-chief, a gun was fired from the Wellesley, after the 18th and royal marines were in the boats, with a view of ascertaining whether resistance was intended. The gun was fired at the round tower most correctly, and no individual injured thereby. As the whole of the guns on shore were manned, a return fire was instantly given from them and a number of war-junks, which brought a fire upon the batteries and junks from the whole of the ships of war, but of very short duration; the guns and hills being abandoned, and suburbs evacuated in a very few minutes. The beach, wharf, and Temple Hill being cleared, the troops landed without opposition, and I immediately took possession of the hill, from which a very good view of the city is obtained at the distance of about 1,500 yards. As soon as the landing of the 26th regiment was completed, I pushed forward advanced posts from the 18th and 26th regiments to within 500 yards of the walls of the city, which, although in a dilapidated state, are extremely formidable and difficult of access, being surrounded on three sides with a deep canal of about twenty-five feet wide, and a continued flat of inundated patty land.

Having consulted with lieutenant-colonel Montgomerie, C.B., of the Madras artillery, and captain Pears, the senior officer of engineers, I decided upon breaching the walls of the city near the west gate, and throwing shells into the north-west angle, so that in the event of the ordnance being inadequate to breach the point already specified, the north-west angle, which I meant to attempt by escalade, might be more easily carried from the fire kept upon that point having weakened the defence. On the advanced post taking up this position a fire was opened upon them from the walls of the city, and kept up at intervals until near midnight. A few shot, not exceeding eight or nine, were fired from our battery, which tended to silence their firing, without doing any injury. Whilst I was visiting them, several shot were fired without any other effect than proving that the Chinese were utterly ignorant of gunnery.

The second division, consisting of the Madras sappers and miners, Bengal volunteers, and 49th regiment, were landed without delay, and having taken up their position, threw out advanced posts to the front, the latter corps protecting the left of the suburbs.

Early on the morning of the 6th I was happy to find, from the very great exertions of lieutenant-colonel Montgomerie, that during the night he had, in addition to the two nine pounders landed with the troops, got into position six other guns of the same size, two five and-a-half inch howitzers, and two mortars, making a total of ten guns, in a position within 400 yards of the walls. From the stillness of the city, I apprehended a change had taken place there, and I waited for daylight before

issuing orders for offensive operations; on the first dawn the flags were seen on the walls, as they were the preceding evening; but as the light increased there did not appear a single person, where there had been thousands the preceding evening, which gave reason to suppose that the city was evacuated; and I sent forward lieutenant-colonel Montgomerie, major Mountain, deputy adjutant-general, and captain Pears, field-engineer, with a small escort, to reconnoitre as closely as possible the state of the works, and endeavour to ascertain whether the city was abandoned or not. These officers passed the canal (the bridge over which had been broken up), by throwing spars across, and with captain Bethune of the Conway, who had now joined them, scaled the wall by means of a ladder found amongst the buildings outside. One or two unarmed Chinese, who appeared above the gate, hung a placard over the wall, and refused by signs to admit them, but offered no other opposition.

The gate was found strongly barricaded within by large sacks of grain, and by the time that a few planks had been thrown over the canal, a company of the 49th, which I sent for, took possession of the principal gate of the city of Ting-hae-heen, upon which the British flag was hoisted.

Guards were quickly posted at the whole of the gates, and every protection given to life and property. I lament that several houses in the city had been plundered by the lower order of the Chinese people before we took possession: and that it was carried to considerable extent in the suburbs by the same class during the nights of the 5th and 6th, from their occupying houses which were ultimately proved not to belong to parties claiming them. Order is now restored; but a large portion of the people who went into the country have not yet returned. A return of the ordnance captured on shore is herewith transmitted; that on board the war-junks was considerable, but of which I have no return. The loss of the Chinese is estimated at about twenty-five killed; the number wounded I cannot learn, but it must be very small, from round shot having been fired. The admiral is said to be among the latter. I am happy to say her majesty's troops escaped without loss of any description, and are prepared for any further services required.

The city of Ting-hae-heen is extensive, the walls being about six miles in circumference. They are built of granite and brick of inferior quality, and with the exception of a hill where the defences are unusually high, there is a deep ditch or canal about twenty-five feet wide, carried round the walls at the distance of a few yards. There are numerous bastions in the works, and with good troops in its present state, the city is capable of making a good defence.

This despatch will be delivered to your lordship by the honourable captain Osborne, to whom I beg to refer you for further particulars respecting the island of Chusan and our position here.

I have, &c.,

GEORGE BURRELL,
Brigadier,
Commanding Eastern Forces.

Return of Ordnance captured at Chusan (on shore), by the combined Naval and Military Force under the command of Commodore Sir J. G. Bremer, C.B. and K.C.H., &c., and Brigadier Burrell, on the 5th of July, 1840.

On the sea face, twenty-four guns; on the walls of the town, twenty-three; in the arsenals, forty-four: total ninety-one

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Wellesley, Chusan, July 6, 1840.

Sir,—My last letter, of the 22nd ult., No. 38, will have acquainted the lords commissioners of the Admiralty of my arrival in Macao Roads, in her majesty's ship Wellesley, bearing my broad pendant, on the 21st of that month, and of my having established a blockade of the port and river of Canton; and I have now the honour to apprise you, for their lordships' information, that on the 24th of June I sailed from Macao Roads, accompanied by her majesty's schooner, Young Hebe, and four transports, and on the 1st instant reached the anchorage under the Buffalo's Nose, where I found the Conway and the other ships of war and transports, which I had directed captain Bethune to conduct to that place, having been joined by the Atalanta and Queen war steamers on my way thither.

The next day the fleet proceeded to an anchorage off the great island of Chusan, and I despatched captain Bethune, of the Conway, accompanied by the master of the Wellesley, in the Atalanta steam sloop, to reconnoitre the harbour and sound the passage, and, having so done, they returned in the evening: and on the following day (the 4th inst.) I went on in the Wellesley, in tow of the Atalanta, followed by the whole fleet.

On the flood tide making, I anchored in the Wellesley, abreast of the town; the Conway and Alligator took up positions in front and flank of a rugged hill, surmounted by a temple, and which is a very strong position. In the course of the afternoon the Rattlesnake and several of the transports anchored, and the rest were visible from the hills above the town. Twelve Chinese war-junks had followed us from the lower anchorage, and eleven others were in the port, and had anchored in a sort of line of battle, and the Chinese troops were busily employed in placing guns on the different quays along shore.

I entertained the strongest hope, that the display of a force so overwhelming as ours would have induced submission, and I therefore issued the summons, of which a copy is enclosed.

The Chinese vice-admiral, who is commander-in-chief of all the forces and garrisons in the district, was present in his junk, and the summons was conveyed to him by commander John Vernon Fletcher, of the Wellesley, and lord viscount Jocelyn (who had done me the honour of attaching himself to my personal staff), attended by the rev. Mr. Gutzlaff, the first Chinese interpreter to her majesty's superintendents of trade. They returned at the expiration of about an hour accompanied by the vice-admiral, the flag or port captain, several other naval and military persons of rank, the chief civil magistrate, and others of the authorities. A conference of some length ensued. I endeavoured, through Mr. Gutz-

laff, to make them clearly understand that insult and aggression on the part of their officers, to an extent no longer bearable, had obliged her Britannic majesty to seek redress; that my orders were, to take military possession of this island and its dependencies; and that as the force I had with me precluded all possible chance of their successful resistance, I earnestly entreated them to spare the great effusion of blood and yield at once. They departed about eight o'clock P.M., with the fullest understanding of the terms, and said the fault would be theirs if delay in returning an answer to our summons should be productive of hostilities? No answer was given during the night, and the sounds of gongs and other warlike demonstrations were audible throughout.

As the day dawned on Sunday, the 5th instant, I found the quays and shore lined with troops in considerable force, while from the mast-heads numbers were seen on the plain between the suburbs, and on the city walls, situated about 1,400 yards in the valley. They had placed a body of troops on the Temple Hill, together with three guns in position; twenty-one guns were in line on the different wharfs, and on a round tower of solid masonry they had five guns. The war-junks were hauled on shore in line, with their rudders unhung, and presented thirty-four guns, and forty-five large gingals. A quantity of arms of all kinds was collected, which the mandarins were employed the whole morning in distributing to the troops and others; in fact, the waving of their flags and every other demonstration evinced a determined spirit of hostility.

The flood-tide at noon brought the mass of the transports in, and I still entertained a hope, that when the Chinese saw the troops preparing to land in full force, they would negociate; but having waited until half-past two P.M., I judged that further forbearance would be useless, and therefore at that moment a single shot was fired from the Wellesley at the round tower, falling, as I had intended, at the foot of it, without doing the slightest injury. This shot was instantly answered by the whole line of the Chinese feeble defence, and caused a return from the squadron, the whole of which were now present, as noted in the margin,* the Cruiser, Algerine, Queen steamer having just anchored.

The cannonade lasted only seven or eight minutes. The Chinese troops had fled. Their battery on the Custom-house wharf was destroyed, four junks shot to pieces, and not one person remained visible in the town.

The right wing of the 18th royal Irish regiment, under the command of major Adams, and the royal marine of the squadron, under the command of captain Ellis, of the Wellesley, forming the advance, then landed, and were immediately followed by detachments of her majesty's 26th and 49th regiments, the Madras artillery, and sappers and miners, and the Bengal volunteer corps, and the residue of the troops; and at fifty minutes after two P.M., I had the satisfaction of seeing her majesty's colours hoisted on the

* Wellesley, Conway, Alligator, Cruiser, Algerine, Rattlesnake, and Young Hebe, and Atalanta and Queen steamers.

first military position in the Chinese empire conquered by her majesty's forces.

The mandarins, and the whole of the Chinese troops, had now retired within the city in rear of the suburbs, from the walls of which they kept up an occasional fire when any of our force appeared on the plain.

By four o'clock P.M., two nine-pounders were landed, and in position within 400 yards of the wall; and in the course of the night six other nine-pounders and two howitzers were in battery, together with two mortars.

From the display of flags, the beating of gongs, and the fire kept up by the troops in the city, a vigorous resistance seemed to be threatened; and myself and brigadier Burrell anticipated that their folly would force on us the dreadful necessity of a breach and escalade; fortunately for humanity, this was not the case, for as the morning dawned, the reconnoitring officer discovered that the bridges were destroyed, and that the city had been evacuated. In the night a temporary bridge was thrown over the canal, and the southern and the principal gate forced, by which her majesty's 49th regiment marched in, and her majesty's colours were soon after displayed on the walls of Chusan.

In so dense a population, it is almost impossible to form an estimate of the number of actual soldiers; but I am inclined to think, that from 500 to 600 were in the suburbs, on the hill, and in rear of it, in reserve; whilst probably as many more were in the city, the walls of which were lined to the whole extent of their southern force.

It is a source of great gratification to me to think that so few lives have been lost on this occasion. I believe, that twenty-five may be the extreme number, and these were all soldiers. This may be ascribed to the fire of the ships being directed solely to the junks and batteries.

The only casualty in the squadron consists of one seaman wounded on board the Conway. The ships were struck repeatedly, but no damage was done to them of the slightest consequence.

Captains Bethune, Maitland, and Kuper, of her majesty's ships Conway, Wellesley, and Alligator; commanders Giffard and Fletcher, of the Cruiser and Wellesley; lieutenant Mason, of her majesty's brig Algerine; Mr. Brodie, R.N., commanding her majesty's troop-ship Rattlesnake; and Mr. C. E. Hodgkinson, mate, R. N., commanding her majesty's schooner Young Hebe; together with every officer, seaman, and marine in the squadron, including the commanders and officers of the hon. company's steam-vessels of war, Atalanta and Queen, displayed a zeal and alacrity which I am convinced would have insured success in a much more important service than this; and I gladly seize on this occasion to express my best thanks to captain Maitland for the unremitting attention he has paid to the details of the expedition, and for the valuable assistance he has rendered me during its progress.

The royal marines under captain Ellis, maintained the high character of their corps for steadiness and soldierlike good conduct.

My thanks are also due to viscount Jocelyn, military secretary to her majesty's plenipoten-

tiaries, for his readiness on all occasions.

I am happy to inform their lordships, that the best understanding has existed between brigadier Burrell and myself; and that every branch of the two services has most cordially co-operated for the promotion of the public service.

Nor can I conclude, without recording my satisfaction at the zeal, intelligence, and perseverance of the masters of the transports, in bringing their vessels into harbour, and the regularity of their conduct throughout.

I have, &c.,

J. J. Gordon Bremer.

Commodore of the first class, and commander-in-chief.

The following Articles, not bearing the character of Official Documents, or authoritative Narrative, are nevertheless of value, as illustrating facts of the History of this work.

PERSECUTION OF THE JEWS IN THE EAST.

Translation of a Letter from the Elders of the Jewish Congregation at Constantinople to Messrs. de Rothschild, of London.

Constantinople, March 27, 1840.

Respected Sirs—Independently of the tie which so strongly binds together the whole Jewish community, of which you, gentlemen, are distinguished ornaments, having always stood forward most prominently in assisting our distressed brethren, whose appeals to you are not unfrequent, your beneficent hearts cannot but be greatly moved to sympathize with two numerous Jewish communities—viz., that of Damascus under the Egyptian jurisdiction, and that of Rhodes one of the Ottoman states, oppressed by the tyrannies of the pashas who govern them. These persecutions have originated in calumnies which the oppressors have themselves invented, and which have been long brooding in their hearts, to the prejudice of the Jewish community. Our brethren are accused of being accomplices in murder, in order to make, with the blood of the murdered men, their Passover-cakes, a thing in itself incredible, as being forbidden by our holy religion. This report has, however, found credence with the governing pashas of Damascus and Rhodes, and they have oppressed and incarcerated not only several old men and rabbins, but even a number of children, putting them to tortures which it makes one shudder to hear. Such is the afflicting picture drawn in the letters of our persecuted brethren, of which letters, with deep regret, we hand you copies.

The community now addressing you, although implored by the sufferers to put an end to their persecution, and to prevent, if possible, their recurrence, is deeply

grieved to find itself incapacitated from affording any relief, in consequence of being subject to a government not on friendly terms with the pasha of Egypt.

There remain, therefore, no means of salvation for the oppressed, except an appeal to your innate goodness and pity. We entreat you, therefore, to interpose your valuable mediation in such manner, and with such persons, as you may deem most desirable for the safety of our unhappy brethren languishing in chains, and in prison, so as to obtain from the pasha of Egypt the liberation of the Jews of Damascus, and a compensation, not only from the governing pasha of Damascus, commensurate with the excesses committed by him, but also from the consular agents at Rhodes, who have risen against persons not subject to them.

We, the rabbins and elders of this community, impressed with the urgenncy of the case, and compassion for our brethren, and induced by the report which is current throughout the world of the generous and philanthropic sentiments which animate you, and fill your hearts, ever open to the miseries of the oppressed, feel persuaded that you will exert yourselves to do all you can possibly accomplish in these distressing circumstances.

While we offer to you, in anticipation, our warmest thanks, we assure you that both ourselves and the oppressed will incessantly offer up to the Supreme Being our fervent prayers for the preservation and increase of your respectable family, and that he may be pleased to preserve them, to the most remote posterity, in the rank in which most worthily you at present stand.

Accept the assurance of the high esteem with which we have the honour to be, gentlemen, your humble and devoted servants,

J. Camondo.
Salamon qm. Mco. Tua.
Samuel De N. Treves.

Translation of a Hebrew Letter from the Jews of Damascus to the Elders of the Congregation at Constantinople.

"To Messrs. Abram Cornorte and Aaron Cohen.

"Expressing my best wishes for your health, to my deep regret I address you these few lines, to inform you of the continued state of misery in which our brethren, inhabitants of Damascus, still remain, as communicated to you in my letter of the 17th of Adar (February), by the steam-packet. I had hoped to advise in this letter that the circumstances of the murder respecting which they were calumniated had been ascertained, but in this hope I have been sadly disappointed; I will therefore now repeat everything in detail, and it is thus:—

"On Wednesday, the 1st day of the month of Adar (February), there disappeared from Damascus a priest, who, with his servant, had dwelt for forty years in this city; he exercised the profession of a physician, and visited the houses of Catholics, Jews, and Armenians, for the purpose of vaccination.

"The day following (Thursday) there came people into the quarter

of the Jews to look for him, stating that they had seen both him and his servant on the previous day (Wednesday) in that quarter. In order to put in execution their conspiracy, they seized a Jewish barber, telling him he must know all about the matter, and thence they immediately carried him before the governor, before whom they accused him, and he instantly received 500 stripes, and he was also subjected to other cruelties. During the intervals between these inflictions he was urged to accuse all the Jews as accomplices, and he, thinking by these means to relieve himself, accused Messrs. David Arari, Isaac Arari, Aaron Arari, Joseph Laguado, Moses Aboulafia, Moses Benar Juda, and Joseph Arari, as instigating accomplices, who had offered him 300 piastres to murder the abovementioned priest, inasmuch as, the Passover holidays approaching, they required blood for their cakes, that he did not, however, give ear to their instigations, while at the same time he knew not what might have happened to the priest and his servant. Upon this the pasha caused the aforesaid traduced persons to be arrested as instigators and punished with blows and other torments of the most cruel nature; but, as they were innocent, they could not confirm as true that which was a calumny, and, therefore, in contradiction, they asserted their innocence, appealing to the sacred writings, which strictly prohibit the Jews feeding upon blood, much more that of a fellow creature, a thing totally repugnant to nature. Nevertheless they were imprisoned, and daily, with chains around their necks, there were inflicted on them the most severe beatings and cruelties, and they were compelled to stand without food of any kind for fifty hours together.

"Subsequently, to this, the Hebrew butchers were cited to appear; they were put in chains, together with the rabbins, Messrs. Jacob Antier, Solomon Arari, and Asaria Jalfon; and they, too, were beaten to such an extreme that their flesh hung in pieces upon them; and those atrocities were perpetrated in order to induce them to confess whether or not they used blood in the Passover cakes, to which they replied, that if such had been the case, many Jewish proselytes would have published the fact. This, however, was not sufficient. Subsequently to this the same governor went to the college of the boys, he had them carried to prison, loaded them with chains, and forbade the mothers to visit their imprisoned children, to whom only ten drachms of bread and a cup of water per day were allowed, the governors expecting that the fathers, for the sake of liberating their children would confess the truth of the matter.

"After this, the Jew, who was still at liberty, presented himself before the governor, stating that the calumny, that we make use of blood for our Passover cakes, had been discussed before all the powers, who after consulting their divines, had declared the falsehood of such a calumny; and he added, that either others had killed the priest and his servant, or that they had clandestinely absented themselves from the country, and that the barber, to save himself from prosecution, had stated that which was not true.

"Upon this the governor replied, that as he had accused other

persons of killing them, he must know who were the murderers; and in order that he should confess, he was beaten to such an extreme that he expired under the blows.

"After this the governor with a body of 600 men, proceeded to demolish the houses of his Jewish subjects, hoping to find the bodies of the dead; but, not finding anything, he returned, and again inflicted on his victims further castigations and torments, some of them too cruel and disgusting to be described. Incapable of bearing further anguish they preferred death, and confessed that the calumny was true.

"The governor, hearing the confession, asked them where they had secreted the blood of the murdered man, to which one of them replied that it had been put into a bottle, and delivered to Mr. Moses Aboulafia, who declared he knew of it, and in order that he should confess he received 1,000 stripes; but this infliction not extorting his confession, he was subjected to other insupportable torments, which at length compelled him to declare that the bottle was at home in a chest of drawers. Upon this the governor ordered that he should be carried on the shoulders of four men (for he could not walk), that he might open the bureau. This was opened, but nothing was found in it, except a quantity of money, which the governor seized, asking him, at the same time, where was the blood; whereupon the said Aboulafia replied, that he made that statement in order that the governor should see the money in the bureau, trusting by these means to save himself from the calumny. Upon this the torments were repeated, and Abulafia, to save himself, embraced Mahometanism.

"It is thus that they treated the whole, and they have now been for one month in this misery. In Beirout, and much more in Damascus, the Jews are not at liberty to go out.

"After this an individual came forward and stated, that by means of astrology, he had discovered and ascertained that the seven individuals above named assassinated the priest, and that the servant was killed by Raphael Farki, Nathan Levi, Aaron Levi, Mordecai Farhi, and Asser of Lisbon. The two first of these were immediately arrested, the others it appears sought safety in flight.

"You will judge from this, dear friends, what sort of justice is administered by means of astrology, and how such justice is administered. And there is no one who is moved to compassion in favour of the unfortunate victims of oppression. Even Mr. Bekor Negri, the governor's banker, unable to bear these afflictions, became a Mussulman.

"Read, dearest friends, this letter to Messrs. Camondo, Hatteri, and Carmonna, in order that they may do what they may deem most fitting."

Translation of a Hebrew Letter from the Jews of Rhodes to the Elders of the Congregation at Constantinople.

"We hasten, Sir, to inform you of the state of misery in which our community is at present plunged, in consequence of a calumny, and these are the facts of the case.

"A Greek boy, about ten years old, son of an inhabitant of the

country, is said to have been lost, and the Christians have calumniated us, stating that we have killed him. All the European consuls came forward to demand an elucidation of the affair. They went in a body (with the exception of the Austrian consul) to the pasha, and requested that he would intrust to them the conduct of the business, which request the pasha granted. They then summoned before them two Greek women dwelling near the city, who stated that on Tuesday some Jews were passing from the villages to the city, and that one of them had a Greek boy with him. The consuls immediately cited the Jew to appear before them, and questioned him on the subject, when he replied that he could prove that during the whole of Tuesday he was in the village, and did not come into the city until Wednesday. He added, moreover, that if this boy was entering the city by the way and at the time the Jews were going into it, it ought not therefore to be believed that the Jews had killed him, the street being the chief and public thoroughfare, through which any one may pass. These reasons were not admitted by the consuls as a justification of the unfortunate Jew, who was immediately put in irons, and tortured in a manner never yet seen or heard of. Having been loaded with chains, many stripes were inflicted on him, red-hot wires were run through his nose, burning bones were applied to his head, and a very heavy stone was laid upon his breast, insomuch that he was reduced to the point of death; all this time his tormentors were accusing him, saying, "You have stolen the Greek boy, to deliver him up to the rabbin—confess it at once, if you wish to save yourself." Their object was, to calumniate our rabbi, and take vengeance on all of the community; and they stated openly that this was done for the purpose of exterminating the Jews from Rhodes, or to compel them to change their religion, so that they might be able to boast in Europe of having caused an entire community to change its religion. Meanwhile the poor Jew cried out in the midst of these torments, praying for death as a relief, to which they replied that he must confess to whom he had given the boy, and that then he should be immediately set at liberty. The poor Jew oppressed by torments beyond endurance, resorted to falsehoods in order to save himself. He calumniated one and another, but many of those whom he accused had been absent from the place some time, which clearly proved that his assertions had no other end than to free himself from his tortures. Nevertheless, all that could be found were immediately imprisoned, and subjected to insupportable torments, to extort from them a confession that they had delivered the boy to the chief rabbin, or to the elders of the nation, and night and day they were tormented because they would not accuse innocent persons. Meanwhile, goaded by continual tortures, these poor creatures cried out and prayed that they might be killed rather than be subjected to the endurance of such anguish, especially seven of them, who anxiously courted death, and indeed, were all but dead, in consequence of these tortures. To increase the misery, the Hebrew quarter was closed and surrounded by guards, in order that none might

go out to learn what had happened to their unfortunate brethren.

"You must know too that during the day, at such times, as there is no one in the Jewish quarter, the Christians are going about endeavouring clandestinely to leave the dead body of a Turk or Christian in the court of some Jewish house, for the purpose of having the individual brought before the governor, in order to give a colouring to their calumny. Such is the misery which weighs upon our hearts and blinds our eyes. We have even been refused the favour of presenting a petition to the pasha of the city.

"After three days spent in this wretchedness, they refused to supply us even with bread in our quarter for our families, shut up with us; but by dint of entreaty we have obtained, as a favour, the supply, at high prices, of salt fish, and black bread.

"From what we can gather from the Europeans who are about the pasha, he appears to be ignorant of the sufferings inflicted upon the poor Jews, and that all proceeds from the lieutenant of the pasha, who acts in concert with the consuls, as he had done from the beginning. We expect the Austrian consul, who, at first, endeavoured to protect us, but who was at length compelled to join with the multitude."

CIRCASSIA.

Under the difficulty which prevails, and which has much increased of late, of obtaining any accounts whatever from Circassia, the annexed extracts from the diary of a merchant who has visited that country on a commercial speculation must be acceptable to all who are desirous of extending their knowledge of that country. If the events are not recent, they are for the most part still new, and the details given of the character and feelings of that brave population are highly interesting:—

EXTRACT OF JOURNAL.

"Psamez, Nov. 14, 1838.—A report having become prevalent of four vessels, by three of which I had sent letters of importance, having been seized and confiscated, and their crews and passengers imprisoned on the Turkish coast between Samsoon and Trebizond, in which district the hostile influence of the pasha of the latter town prevails, I sent Luca a few days since to Psid, to learn the truth from the passengers or crew of a vessel arrived there; and who state that what I heard, so far, was true; but that an order arrived subsequently from the porte for the discharge of the individuals and restitution of the vessels, as the sultan had no power to prevent merchants trading where they pleased. The commentary is, probably an adjunct by the reporters; but at all events it serves to show the ideas upon commercial privileges prevalent in Turkey. The Russian and Polish prisoners and deserters by these vessels, who had been brought here by merchants, were, however, upon the demand of the Russian consuls, delivered up by the Turkish authorities, which nefa-

rious compliance shows how little real independence is now left to the *quasi* sovereign of Turkey. What may have been the fate of my letters I have yet to learn.

"AGSMOOG, Nov. 29.—Nine days ago I arrived at this station, which had been fixed upon for me, and the day before arriving at which brought us within a distinct hearing of the sounds of war, for the Russian army was there on its return to Semez, from which valley this glen is only about six miles distant, where it arrived on the 21st. Its movement into the plains of Anapa was for the purpose of forming a junction there with a strong body of infantry and 1200 cavalry, which had come with provisions and stores from the mouth of the Kuban; and its return to Semez was for the purpose of placing a garrison of fresh troops in the fort and provisioning it for the winter, fears being entertained, according to the report of a prisoner whom I have had questioned here, of sending supplies by sea since the heavy losses that have been there suffered: 300 carts with these stores accompany the army; or, I should rather say, the army, whose entire force is said to be now upwards of 8,000 men, escorted them, its movements having been made for that object solely. The chiefs, however, anticipating probably the immediate perpetration of the loudly-threatened devastation of the country, were on the alert to oppose it; and on the 22nd I received a message from Mensoor Bey, the *de facto* commander-in-chief, requesting me to despatch a person to Shapshook to call upon the chiefs, whom he specified, to bring forward their forces. My host here, who, as well as his brother, stands in high repute for courage and fidelity, instantly mounted and set forth on this mission, and brought me back word that the chiefs in question had already concerted measures among themselves, and would proceed to the scene of action forthwith. A day or two thereafter our hamlet, as well as all those around, was thronged by their levies *en route*. Daily, and occasionally, considerable discharges of artillery and musquetry were heard here, and the unaccountable delay of the Russians in the valley of Semez, where no devastation was being committed by them, having made me at length desirous of knowing what was going forward, I appointed the 26th for that purpose, when an escort arrived for me, but the day proved so densely foggy, that I was obliged to defer my expedition till the next. The firing, however, rather increased that day, but, as I subsequently learned, was entirely on the side of the Russians, who were alarmed by the voices of parties of Circassians hovering around them, and thus sought to insure their safety from attack—luckily, *vox et præterea nihil*, but the sick air was affected by it. The 27th proved clear, though rainy, cold, and windy, and having got the escort of Hatooz Khétagatch, the brave old Shapsook chief, of whom I have spoken, who came to visit me *en passant*, and of others from this province, we set forth early for the field, which we reached a little before noon, and then found the Russian army lighting its camp fires, and taking its station for the day, to recover from the fatigue of a march of about three miles, viz., from the northern extremity of the valley of Semez, to a small plain amid the hills which bound it in that di-

rection. On the two previous days marches of similar extent had been all that had been achieved, but my wonder at such tardy progress was diminished when I saw the state to which the face of the country had been brought by the torrents of rain which had fallen on the night of the 21st, on the 24th, and on the night of the 26th, which must have made the clay of the valley of Semez almost impassable for artillery and loaded vehicles, and the ascent of its hills but little less so, and saw further proof of the impediments that had been occasioned to the army in the numerous parties of Circassians hovering around it in search of points for attack. The position I found it in seemed to offer none, as the small plain it occupied was surrounded on all sides but one by ridges of low hills, which the artillery could sweep on enemies presenting themselves (and as it continued to do from time to time), while on the remaining side, to the north, it was defended by a higher hill, the summit of which was occupied by a strong body of infantry and a piece or two of artillery. Yet, out of these unpromising circumstances, the wary old chief Mensoon contrived to reap a small advantage. He made three or four of his party parade inside the hollow of one of the hills, in order to tempt a body of cavalry stationed at hand to attempt to capture them, which was accordingly done; and the decoys refraining from escape until their pursuers had nearly reached them, the latter were thus drawn over the verge of the hill, and within reach of Mensoon and his party, who were there concealed, and who, dashing in among them, cut down some fifteen before they could retreat or receive support, as they did by the rapid advance of a body of infantry, which obliged Mensoon's small party to retire. He headed the charge, and his keen Damascus put three of the Moscows *hors de combat*. On the 28th the army made a further movement of about three more miles, along the summit of the hills in question, to where they terminate in the plain of Anapa, in doing which a body of Circassians, numerically much weaker than the cavalry of the enemy, did all in their power to bring the latter to action, but without effect. This morning the whole army decamped long before daybreak; and, aided by a hard frost, moonlight, and better roads, made its way rapidly towards Anapa and its neighbouring redoubts. No devastation was committed by the Russians in the valley of Semez. Four houses were burnt there; but it was the natives who destroyed them, to deprive their enemies of so much shelter. Between Semez and the present position of the army all the mischief it effected was carrying off a quantity of corn stored in four houses among the hills they passed over, and doing the same by what hay was to be found near their route thence. Thus has passed away for the present the phantom of devastation by which the Russian general sought to terrify the people into his terms of subjugation. Sickness is said to prevail in the army to a great extent, (as I can well believe, wet as has been of late the ground it slept on) and there is also a great falling off in the number of Circassian auxiliaries from the provinces of the east, as compared with former years, when it was five or six times greater, enabling the mount-

ed portion of the army to show some independence of action, which in the late expedition it dared not. The number of Circassians with the army at present is about 100. On the 28th they were placed in the rear, or the van, as it became on the advance of our army, and showed a disposition to accept the challenge given to the cavalry in general, when one of them drew his sabre, and, rushing in front of the rest, loudly protested, as was heard on our side, against the iniquity of their fighting against their co-religionists, who were justly at war with their common enemy. They immediately retired. This person, who is of high rank, and detained among the Russians on a frivolous plea, has gained golden opinions from all his countrymen here by the information, excellent advice, and encouragement he has of late from time to time contrived to communicate to them. Upon a portion of his information I am now acting. This patriotic individual shall be nameless, lest injury should befall him; but I fear his zeal has already carried him into danger. All the prisoners and deserters are loud in their praise of the new general Razewski, who has relaxed the duties, increased and improved the rations, and, above all, established punctuality in the distribution of spirits for the soldiers serving on this side the Kuban. Probably these measures are adopted in the hope of arresting desertion, the amount of which has been so great as to cause expressions evincing mortification to fall from the lips even of his imperial majesty. There is at present, and chiefly in this part of the country, a sad deficiency of the munitions of war, particularly of powder and flints, owing to a deficiency in the importation from Turkey of sulphur and flints, and to a supply of sulphur found near the surface of the ground in a certain locality not far from this having unfortunately got exhausted. Consequently a great portion of each of the three days the enemy was nearest here was consumed in my answering applications from numerous individuals who came from the field of battle all this way—that is, five or six miles,—to beg a flint or a few charges of powder and balls, the serving out of which I had had to superintend, in order to make my small stock go as far as possible.

Agsmoog, Nov. 30.—The letters now received complete the safe receipt on this blockaded coast of all, I believe, that have been written me from England since I left, in September, 1836, up to May last. They are accompanied by a portion of *The Times* of December 19, 1837, by which I see for the first time fully disclosed the tergiversation and treachery of our foreign secretary in regard to this unfortunate country, and I fear I must add to Turkey also. Gracious heavens! can it be possible that England, too, after centuries of such glory, is already drawn within that vortex, that imperial Maelstrom, which, if so, must now ingulf the freedom and enlightenment of more than a fourth part of our species, and that quarter the boasted best? Can it be possible that the pristine spirit of adventure, and the rare tact of sagacity displayed by Daoud Bey, in throwing himself alone among a people reputed ferocious for the purpose of making their country, as if not countervailed he certainly could do, an impregnable outwork

for the defence of Turkey, of Persia, and of India, has been unappreciated by his countrymen, and his labour of years consigned to demolition—that I have thus become but an unconscious tool in the vast laboratory of Machiavelism—that I have been pushed forward by fallacies into the last stronghold of freedom in the east, for the purpose of luring its brave sons with an *ignis fatuus* of hope on to ground that must shortly sink beneath their feet, and leave them helpless in the grasp of their worthless antagonists — that, in fine, instead of being as I once fondly hoped, but the first of many coadjutors in aiding to assert here the rights of our own country, and to achieve the salvation of this one, I am to be left alone, branded as an incendiary and despised as a contrabandist? No, I cannot, I will not, believe that England is prepared to be led passive in the triumph of the northern despot, and as I now know that there are many who exposed, and who are labouring to counteract, the mischief contrived by his English auxiliaries, I should hold myself but second in infamy to the worst of them—to their distinguished leader,—if I gave efficacy to his award in regard to this country, by deserting at this crisis the duties towards it and my own which have devolved upon me. I shall, therefore, remain at my post, and continue to encourage this long-suffering people to hope and trust, as I still do, in Daoud Bey, the protecting genius of their country, gaining ascendancy for the just cause in which they struggle—national independence.

December 7.—As it is now eight days since the movement towards Anapa, and I have heard of none other but a very short one northward, I have again had difficulty to make out what general Razewski and his army have been about, or intend, having given him credit for honestly purposing to ravage the country, as he threatened.

Lately, however, it was given out that at all events the small vale of Psibebsi was to be ravaged by special orders from the emperor, because there is the hamlet of that prime "malignant" Havod-Okoo-Mensoon, who last summer conducted the storming of the redoubt near Anapa—a cause, as is said, of great irritation to his majesty, and led on also upon the colonial haymakers in the plain to the north of that, and while the general was still near the fort at Semez, and Mensoon busy making up a force to attack him whenever he should set forth, the latter received word from head-quarters that he need not give himself the trouble of coming to Semez with his warriors, as he and they, at all events, might make themselves sure of receiving a visit in their own neighbourhood. To this martial courtesy Mensoon sent as courteous a reply, that he would be happy to see the general at his hamlet, and if he would bring but ten men with him, he would receive him there alone; that he might stay with his army in the country as long as he pleased, and do it as much mischief as he could, and that he should not object to Russia leading an equal force across the Kuban by-and-by, and remaining in the Russian territory for a like time and purpose. In consequence of all this, and as the information the Circassians obtain through their countrymen with the Russian army as to its in-

tended movements has almost invariably proved correct, it seemed to have been fully concluded upon among them, that the first essay at devastation would be made along the undulating plain of the quarter Hochhoi, the most direct and practicable approach to the opening of the vale of Psibebsi. But as the army has so long halted further to the southward, where a portion of it is employed cutting down the jungle in which Mensoon and his men and others at other times concealed themselves for attacks on the agricultural colonists, it is now supposed that the large valley of Vastogai, which was formerly ravaged by Williamineff, and where are the ruined hamlet and disconsolate wife and daughters of Sefir Bey, may first be attempted. Time will show; meanwhile the Russians are not left at rest, even in the uninhabited district where they now remain, and their discharges of artillery, heard here almost daily, have at times been very great. There occurred at my fireside the other evening an amusing conversation upon the determination come to by the Circassians to destroy every thing they cannot remove out of the way of the Russian army—in respect to corn, to which above other things now in danger, more regard is due, as being the constituent of the "staff of life," bread, for which Mussulmans have a religious veneration that should be known to all who come among them. Thus I have frequently observed the care with which crumbs or pieces of it, which had fallen upon the ground, were removed into a corner or thrown into the fire, not out of doors, though fowls were at hand to eat them, lest by accident they should be trodden upon, and thus this prime gift of God be degraded. My simple-minded practical host and a man from Semez, who has removed his family here on account of the invasion, were the disputants, the latter maintaining the impropriety of burning corn, and the former its necessity in the present emergency: at length said our guest, in the hope of flooring his antagonist, "It is contrary to the injunction of our book" (the Koran). "You will have enough to do," coolly replied our host, who says his prayers with all punctuality, "if you try to abide by all that is in our book, for a great deal of nonsense is written there!" The chief wealth belonging to my host and his brother (for unless a division, which is always an equal one, be demanded, brothers always enjoy the inheritance of their father in common) seems to consist in thirty or forty head of cattle, with which the latter has to-day gone to a hill forest at some distance, there to remain with them (cooking for himself and sleeping in a hovel) for two months in the very depth of winter, and separated from his wife and family, who remain in this hamlet. Here is hardihood!

8th.—Alas, alas, the military troth of general Razewski is broken, and after all his vaunting threats he and his army have absolutely sneaked home to their winter quarters. Rhatagatch, the gray-bearded hero of the force at Aboon, has just arrived from the Circassian army, to communicate to me this grateful intelligence.

The heads of the columns had for a day or two been turned towards Djamatia, a fort near the mouth of the Kuban, and when he set out the whole force was

already far advanced thitherward, though still making but very tardy progress, occasioned partly, no doubt, by the still miry state of the country, and partly, perhaps, by a desire to save appearances, for which purpose, perhaps, also Razewski, on his retreat, sent word he should return early in the spring, and make the Circassians repent of having refused to listen to his present proposals. When I called the intelligence grateful, I spoke only of my own feelings, for mortification seemed to be the predominant one with Rhatagatch, as he dilated upon the magnitude and excellence of the Circassian force, horse and foot, latterly assembled to withstand the Russians, whenever they should have quitted the level country, and upon the great preparations they had made for another trial of the force-system of warfare, on which it would appear that he, having given proof of its excellence, had lectured with more effect than all he had formerly said on the same subject. Further repeated attempts had been made to bring the Russian cavalry to action with the Circassians, but in vain. On his first visit I begged of him to represent to the other Tamatas the great necessity of punishment being immediately inflicted upon those who had been known to have held traitorous communication with the enemy, and he now told me that he was returning to Shapsook for the express purpose of bringing thence other seniors to aid in this affair.

10th.—The Russian army has fairly evacuated the country; we may now, therefore, sum up its achievements, and instead of the wide-sweeping devastation by which it was to compel the people to submit, there will be found to have been the plundering of some corn and hay, the destroying of about half a dozen houses in its line of march, and the cutting down of a few acres of jungle. Whether general Razewski ever attempted the general devastation of this part of the country, or only of the vale of Psibebsi, or only sought by such threats to frighten the people into treating with him, and to detain numbers of them at home (in removing their property), so that he and his army might march the more safely home, must remain best known to himself, but none of his objects, excepting the last, partially, has been attained; and I cannot but think that this campaign, terminating as it has done, must add greatly to the admiration the Circassians have already excited. Let me review the circumstances. In the autumn of last year his majesty the emperor visited this country for the first time (and, so far as I remember, the only imperial visit since the days of Peter), not, as may well be supposed, on pleasure, but for the manly purpose of seeing with the eye of a master wherein his servants had failed in their duty, permitting his arms to be disgraced and his character lowered in the estimation of Europe, whose compassion had been drawn upon the protracted struggles of a victim, which should have been sacrificed out of hand. In consequence of this visit of inspection, marshal Rosen the nominal governor of the province, and Williamineff, the general commanding here under him, were displaced and degraded, and the governor of Anapa also displaced, but whether degraded or not I have not heard. We may

presume, that in place of these individuals, thus judged inefficient others of undoubted capacity were installed, and that at their disposal was placed every resource the occasion appeared to require. In proof of which we have seen, that the military and naval forces employed for the campaign were much more powerful than that of any previous years; that the campaign was begun much earlier, and has continued much later than formerly: that the pay of the auxiliaries was exorbitant; that extraordinary exertion was otherwise used, both in the north and south, to increase their number; and that the treatment of the native (Russian) soldiery employed was greatly altered for the better. And of all this mighty preparation and determination to finish the contest by a blow, what has been the result? Four sod-walled forts constructed on the coast, the landing of the army which purpose was effected entirely by broadsides from ships of the line, while, instead of any nearer prospect of the termination of the contest having been obtained, the spirit of resistance is at this moment erect, better organized, and more thoroughly proved to be generally efficient than at any period since my acquaintance with the affairs of the country was formed, four years since, through the visit of Daoud Bey; and the sphere of that spirit is now extended, as has been shown, among a people in the south, who had for many years acquiesced in the usurpation of Russia. In addition to all this, it is to be recollected that she has now another war on hand with the Tchertchenses and their neighbours, against whom an equal amount of military force with that sent here this year has just been employed, and that all the provinces in the upper portion of the Kuban, which for seven or eight years past have ceased taking any part in hostilities against Russia, now wait but a favourable reply to the document just sent to Sefir Bey, to which the seals of all their chiefs are appended, to continue in a general league with their countrymen for the maintenance of their general welfare. But, alas! for Circassia, like others, "*non ab omne parte beata*," while her internal prospects have brightened under her own heroic constancy, her external hopes have, through the baleful influence of political levity, become more portentously gloomy than ever; and in the very nature of things she must sink, irremediably overwhelmed, if such they shall much longer continue.

"Agsmoog, Feb. 13.—On my return to the purlieus of the congress, Shimtloch, the eldest son of Kehri-hoo (my former venerable host) spent an evening with me, during which I gleaned from him what information a journey into the Greater Kabarda, from which he had just returned, had yielded, and I am sorry to have to report other atrocities of that chief of assassins, Sass. I mentioned to you last summer, that a band of patriots had renounced their possessions in the plains of Great Kabarda, and fled from Russian domination into Abayak, where they had formed a little colony, whither many of their serfs and adherents had come to join them; and that among them was a prince of the very highest grade and most antient lineage. This person, Besleni-koo Aislan Gheri, was still but a young man, yet he had well merited his agnomen of Ais-

lan, for he was entirely lion-hearted, and the accounts that are in circulation respecting his courage and indefatigable spirit of enterprise resemble romance. Judge Mehmet, for instance, told me that last summer, when he and many others of this province were in Abazack taking the adhesion of the chiefs to the answer to the document sent by Sefir Bey, prince Aislan Gheri and his band of some sixteen returned from the Russian frontier with a number of Cossack prisoners, having then killed and taken in all twenty-five, in which expedition the prince, who was not only the leader but the chief performer in it, in planning and executing which he frequently spent many days and nights consecutively without any repose, had himself wounded general Sass and broken the arm of the pristar (or superintendent) of the frontier. He too was then pretty severely wounded in the side, and had just got cured, when he again set forth with four or five companions, and having with them captured six other Cossacks, he told his friends that it was a shame for them to return home with so small a number of prisoners, and that if they would wait in the woods near the frontier (in Bemi), where they then were, he would bring them provisions. For this purpose he unfortunately proceeded to the hamlet of a near relative, prince Beslini Koo Ali Gheri, with whom he was on terms of great intimacy, but whom Sass had seduced to betray him, with promises of munificent reward. This wretch, therefore, after having furnished the required provisions, pressed Aislan to spend a portion of the night in taking some repose after the great fatigue he had undergone. To this he consented, and he, and his servant beside him, soon fell into a profound sleep, from which the latter says they were awoke by being fired upon; that their weapons had been all removed, save a pistol which his master had beneath his pillow, and which he fired and then fell; that he also fell senseless immediately thereafter from a wound, but recovered subsequently, and escaped. Next day the body of the prince, which had received five shot wounds, was interred, but the malignity of Sass was not yet satiated, for he no sooner heard of the murder having been accomplished, than he set forth with a detachment, and had the corpse dug up and thrown aside into the woods, for the dogs or wolves to mangle, no one of that neighbourhood venturing to give it further burial. Young Shiratbooch, however, happened to return that way soon after, and deeply impressed as he had been by the spirit of the young hero, whose acquaintance he had made while he lay wounded in Abazack, he procured the assistance of a friend, and again consigned the body to the earth in secret. Sass is said to have forthwith paid the prime murderer 1,000 rubles, and to have afterwards further rewarded him liberally upon delivery of the arms of Aislan, which he is reported to have sent to St. Petersburgh, no doubt with another account of his mode of procuring them than that here given. Shiratbooch, who is anything but an enthusiast, says that the lamentation on the fall of this chief was great and general on his way, and that some of his friends from Abazack proceeded immediately to the frontier of Besni, where the murderer (Ali Gheri) lives under the protection

of the Russians, with whom you may recollect that province was at peace, to execute vengeance; that they waylaid him, but had only yet broken his arm by a shot. Sass has already exhausted all my "thunder;" yet I must say, that in thus attempting to turn contempt upon one who has fought so gallantly in the most sacred of all causes, he seems to me like one who, after having acquired an article by robbery, seeks to raise the cry of "thief" against the rightful owner for endeavouring to regain it. Lest, however, I should be thought to have lightly spoken in this instance (but Shiratbooch's, remember, is not the only evidence) even of this "bold bad man," I shall state what I consider to be the nature of the presumptive evidence against him, and it is not to be supposed that other than presumptive evidence can be had against him in such a case. First, then, there was his personal hostility to the prince, caused by their personal conflict, and the wound Sass, who is justly proud of his prowess, then received; next, the singular courage, prowess, and enterprise of Aislan, which bade fair to destroy the influence the general seeks to gain in those provinces on the Kuban, which you know he had lately declared annexed to the empire; thirdly, the total absence of any previous feud or ill-will between the relatives, or of any known cause why Ali should, by committing the murder, have drawn upon himself the hatred of his countrymen, even in Besni, and the extreme danger of vengeance from Aislan's numerous and powerful friends and adherents, other than a promise of reward; fourthly, the total improbability that Ali should have incurred this danger speculatively, or without a precise engagement as to the benefit he should receive by so doing; and, fifthly, the damning circumstance of the general having immediately rewarded the murderer, and exhibited such savage joy over the body of his victim. This young noble, Shiratbooch, confirms what I had before heard of the inhabitants of Great Kabarda in general, having been disarmed. Those who still retain their weapons have each a ticket or bill of permission. Imagine for a moment individuals of that chivalrous race licensed like our ticket-porters, and, like them, obliged to do for hire whatever they be bidden! Many such he saw who had just returned wounded from an expedition against some of their mountain countrymen (the Tchertchenses, I believe), and another on a larger scale was ordered, and then suddenly countermanded while in preparation. The Russians have also commenced colonising Kabarda (the cheapest and most effective mode of retaining a conquest, according to Machiavelli, whose "Prince," all things considered, I take to be the text-book of their statesmen), and many villages of these short-nosed, high-cheek-boned, and small-eyed race are already there established. The difference of religion will long prevent intermarriage with the natives (if the Russians be permitted to retain possession), otherwise we might, by anticipation, deplore the diminished beauty of the Kabardians, in like manner as I have heard lamented the change that has occurred in this respect, as well as in morals, in the blood of the once-famed Georgia, through the foul inundation of frosty yet lascivious Muscovy.

PATENTS.

Charles Wheatstone, of Conduit-street, Hanover-square, esq., and William Fothergill Cooke, of Sussex cottage, Slough, esq., for improvements in giving signals, and sounding alarms at distant places, by means of electric currents.

Arthur Howe Holdsworth, of Brookhill, Devon, esq., for improvements in preserving wood from decay.

Charles Rowley, of Birmingham, stamper and piercer, and Benjamin Wakefield, of Bordesley, machinist, for improved methods of cutting out, stamping, or forming and piercing buttons, shells, and backs for buttons, washers, or other articles from metal plate, with improved machinery and tools for those purposes.

James Hay, of Belton, in Haddington, Scotland, captain in the royal navy, for an improved plough, "the Belton plough."

Joseph Gibbs, of Kennington, Surrey, engineer, for an improvement or improvements in the machinery for preparing fibrous substances for spinning, and in the mode of spinning certain fibrous substances.

James Nasmyth, of Paticroft, near Manchester, engineer, for certain improvements applicable to railway carriages.

Thomas Laurente Lamy Godard, of Christopher-street, Finsbury-square, London, merchant, (a communication from a certain foreigner), for improvements in looms for weaving, to be worked by steam or other power.

George Wilton Turner, late of Park-village, Regent's-park, Middlesex, but now of Newcastle-upon-Tyne, Doctor of Philosophy, and Herbert Minton, of Longfield-cottage, Stoke-upon-Trent, Stafford, manufacturer, for an improved porcelain.

Robert Montgomery, of Johnston, Renfrew, Scotland, gentleman, for an improvement or improvements in spinning machinery, applicable to mules, jennies, slubbers, and other similar mechanism.

William Vickers, of Firs-hill, York, steel manufacturer (a communication from a foreigner), for an improvement in the manufacture of cast steel.

Christopher Edward Dampier, of Ware, Hertford, attorney-at law, for an improved weighing machine.

John Leslie, of Conduit-street, Hanover-square, Middlesex, tailor (a communication), for improvements in measuring the human figure.

Thomas Clark and Charles Clark, of Wolverhampton, Stafford, iron founders and co-partners, for improvements in glazing and enamelling cast iron hollow ware.

John Ainslie, farmer, Redheugh, near Dalkeith, for a machine for a new and improved mode of making or moulding tiles, bricks, retorts, and such like work from clay.

Arthur Eldred Walker, of Melton-street, Euston-square, engraver, for improvements in engraving by machinery.

William Cubitt, of Gray's-inn-road, builder, for an improvement or improvements in roofing.

Wilkinson Steele and Patrick Sanderson Steele, manufacturing ironmongers, of George-street, Edinburgh, for improvements in kitchen ranges for culinary purposes, and apparatus for raising the temperature of water for baths and other uses.

Joseph Needham Taylor, of Plymouth, captain in the Royal Navy, for improvements in steam-boats and vessels making applicable the power of the steam-engine to new and useful purposes of navigation.

James Hancock, of Gloucester-place, Walworth, for a method of forming a fabric or fabrics applicable to various uses, by combining caoutchouc or certain compounds thereof, with wood, whalebone, or other fibrous materials, vegetable or animal, manufactured or prepared for that purpose, or with metallic substances manufactured or prepared.

Robert Willis, of the University of Cambridge, clerk, for improvements in apparatus for weighing.

Thomas Kerr, of Forecrofts, Dunse, in the county of Berwick, esq., for a new and improved mortar or cement for building, also for mouldings, castings, statuary, tiles, pottery, imitations of soft and hard rocks, and other useful purposes, and which mortar or cement is applicable as a manure for promoting vegetation and destroying noxious insects.

Thomas Farmer, of Gunnersbury-house, near Acton, Middlesex, esq., for improvements in treating pyrites to obtain sulphur, sulphureous acid, and other products.

Rowland Macdonald Stephenson, of Upper Thames-street, in the city of London, civil engineer, for certain improvements in shifting and working stage scenes, and other theatrical machinery.

Miles Berry, of Chancery-lane, Middlesex (communication from a foreigner), an invention or discovery by which certain textile or fibrous plants are rendered applicable to making paper, and spinning into yarns, and weaving into cloth, in place of flax, hemp, cotton, and other fibrous materials commonly used for such purposes.

William Isaac Cookson, of Newcastle-upon-Tyne, esq., certain improved processes or operations for obtaining copper and other metals from metallic ores.

George Wilson, of St. Martin's-court, St. Martin's-lane, Middlesex, stationer, an improved paper cutting machine.

Henry Pinkus, late of Pennsylvania, in the United States of America, but now of 79, Oxford-street, Middlesex, gentleman, improvements in inland transit, some of which improvements are applicable to, and may be combined with, an improved method of, or apparatus for, communicating and transmitting, or extending, motive power, by means whereof carriages or waggons may be propelled on railways or roads, and vessels may be propelled on canals.

James Beaumont Neilson, of Glasgow, gentleman, for certain improved methods of coating iron under various circumstances, to prevent oxidation or corrosion, and for other purposes.

Joseph Clisild Daniell, of Limpley Stoke, Wilts, for an improved method of preparing shoot or weft to be used in weaving woollen cloth, and cloths made of wool and other materials.

John Rangeley, of Camberwell, gent., for improvements in the construction of railways, and in the means of applying power to propelling carriages and machinery.

Charles Alexander Petterin, of Leicester-square, gent., for improvements in wind and stringed musical instruments. (A communication from a foreigner.)

James Knowles, of Little Bolton, Lancaster, coal merchant, for an improved arrangement of apparatus for regulating the supply of water to steam boilers.

George Gwynne, of Portland-terrace, Regent's-park, gent., for improvements in the manufacture of candles, and in operating upon oils and fats.

Etienne Robert Gaubert, of Paris, professor of mathematics, for certain improvements in machinery, or apparatus for distributing types or other typographical characters into proper receptacles, and placing the same in order for setting up after being used in printing.

James Hadden Young, of Little France, merchant, and Adrien Delcombe, of the same place, manufacturer, for an improved mode of setting up printing types.

Robert Haricas, of Burton Crescent, surgeon, for improvements in rendering fabrics and leather waterproof.

Isham Baggs, of Cheltenham, gentleman, for improvements in engraving, which improvements are applicable to lithography.

Sir William Burnet, of Somerset-house, Middlesex, knight, for improvements in preserving animal, woollen, and other fibrous substances from decay.

William Palmer, of Sutton-street, Clerkenwell, candle maker, for improvements in the manufacture of candles, and in apparatus for applying light.

Henry Smith, of Birmingham, lamp manufacturer for improvements in gas burners, and in lamps.

Henry Kirk, of Upper Norton-street, Portland-place, merchant, for improvements in the application of a substance or composition, as a substitute for ice for skating and sliding purposes; part of which improvements may also be employed in the manufacture of ornamental slabs and mouldings.

Claude Joseph Edmed Chaudron

Junot, of Brewer-street, Golden-square, operative chemist, for certain improved processes for purifying and also for solidifying tallows, grease, oils, and oleaginous substances.

John Leberecht Steinhaueser, of Upper Islington Terrace, gent., for improvements in spinning and doubling wool, cotton, silk, and other fibrous materials, being a communication from a foreigner residing abroad.

Peter Bancroft, of Liverpool, merchant, and John Mac Innes, of the same place, manufacturing chemist, for an improved method of renovating or restoring animal charcoal after it has been used in certain processes or manufactures, to which charcoal is now generally applied, and thereby recovering the properties of such animal charcoal, and rendering it again fit for similar uses.

Harrison Blair, of Kearsley, manufacturing chemist, and Henry Hough Watson, of Little Bolton, chemist, for an improvement or improvements in the manufacture of sulphuric acid, crystallized soda, and soda ash, and the recovery of a residuum or residuums applicable to various useful purposes.

James Caldwell, of Mill-place, Commercial-road, engineer, for improvements in cranes, windlasses, and capstans.

William Grimman, of Camden-street, Islington, modeller, for a new mode of wood paving.

Thomas Robinson Williams, of Cheapside, gentleman, for certain improvements in obtaining power from steam and other elastic vapours or fluids, and for the means employed in generating such vapours or fluids, and also for using these improvements in conjunction with distillation or evaporation, and other useful purposes.

William Henry Bailey Webster, of Ipswich, surgeon, for improvements in preparing skins and other animal matters for the purposes of tanning and the manufacture of gelatine.

Robert Cooper, of Petworth, Gloucester, gent., for improvements in ploughs.

Henry Philip Rouquette, of Norfolk-street, Strand, merchant, being a communication from abroad, for a new pigment.

Pierre Auguste Ducote, of No. 70, Saint Martin's Lane, lithographer, for certain improvements in printing china, porcelain, earthenware, and other like wares; and for printing on paper, calicoes, silks, woollens, oil-cloths, leather and other fabrics; and for an improved material to be used in printing.

Arthur Wall, of Bermondsey, surgeon, for a new composition for the prevention of corrosion in metals, and for other purposes.

Thomas Gadd Matthews, of Bristol, merchant, and Robert Leonard, of the same place, merchant, for certain improvements in machinery or apparatus for sawing, rasping, or dividing dye-woods or tanner's bark.

William Newton, of Chancery-lane, patent agent, for an improved apparatus and process for producing sculptured forms, figures, or devices in marble, and other hard substances, being a communication from a foreigner residing abroad.

Frank Hills, of Deptford, manufacturing chemist, for certain improvements in the construction of steam-boilers and engines, and of locomotive carriages.

Henry Montague Grover, of Boveney, Buckingham, clerk, for an improved method of retarding and stopping railway trains.

Miles Berry, of Chancery-lane, patent agent, for certain improvements in treating, refining, and purifying oils, being a communication from abroad.

Rice Harris, of Birmingham, gent., for certain improvements in cylinder plates and blocks, used in printing and embossing.

Richard Foote, of Faversham, watchmaker, for improvements in alarums.

William Bush, of Camberwell, merchant, for improvements in fire-arms and in cartridges, being a communication.

James Buchanan, of Glasgow, merchant, for certain improvements in the machinery, applicable to the preparing, twisting, and spinning of hemp, flax, and other fibrous substances, and certain improvements in the mode of applying tar or other preservative to rope and other yarns.

Francis Gybbon Spilsbury, of Walsall, Staffordshire, chemist, Marie Francois Catherine Doetzer Corbaux, of Upper Norton-street, Middlesex, and Alexander Samuel Byrne, of Montague-square, of Middlesex, gent., for improvements in paints, or pigments and vehicles, and in modes of applying paints, pigments and vehicles.

Joseph Clinton Robertson, of 166, Fleet-street, London, Patent Agent, being a communication from abroad, for an improved method or methods, of obtaining mechanical power from electro magnetism, and the engine or engines by which the said power may be made applicable to motive purposes.

William Winsor, of Rathbone-place, Middlesex, artists' colourman, for a certain method, or certain methods, process or processes for preparing, preserving and using colours.

Sir Josiah John Guest, of the Dowlais Iron Works, Glamorgan, baronet, and Thomas Evans, of the same place, agent, for certain improvements in the manufacture of iron and other metals.

William Henry Smith, of York-road, Lambeth, civil engineer, for an improvement or improvements in the mode of resisting shocks to railway carriages and trains, and also in the mode of connecting and disconnecting railway carriages, also in the application of springs to carriages.

James Allison, of Monkwearmouth, Durham, iron master, and Roger Lumsden, of the same place, chain and anchor manufacturer, for improvements in the manufacture of iron knees for ships and vessels.

William Pettitt, of Bradwell, Bucks, gent., for a communicating apparatus to be applied to railroad carriages.

William Lance, of George-yard, Lombard-street, insurance-broker, for a new and improved instrument or apparatus to be used in whale fishery, part or parts of which upon an increased scale are also applicable as a motive power for driving machinery.

Edward John Carpenter, of Toft Monks, Norfolk, commander in the royal navy, for improvements in the application of machinery for assisting vessels in performing certain evolutions upon the water, especially tacking, veering, steering, propelling, casting, or winding aud backing astern.

Richard Prosser, of Birmingham, civil engineer, and John James Rippon, of Well-street, Middlesex, ironmonger, for certain improvements in apparatus for heating apartments, and in apparatus for cooking.

William Hickling Bennett, of Wharton-street, Bagnigge Wells-road, gent., for improved machinery for cutting or working wood.

William Potts, of Birmingham, brass founder, for certain apparatus for suspending and moving pictures and curtains.

William Daubney Holmes, of Cannon-row, in the city of Westminster, engineer, for certain improvements in the construction of iron ships, boats, and other vessels, and also in means for preventing the same from foundering, also the application of the same improvements, or parts thereof, to other vessels.

John Crighton, junior, of Manchester, machine maker, for certain improvements in machinery for weaving single, double, or treble cloths, by hand or power.

John B. Humphreys, for certain improvements in shipping generally, and in steam vessels in particular, some of these improvements being individually novel, and some the result of a novel application of parts already known.

John William Nyren, of Bromley, manufacturing chemist, for improvements in the manufacture of oxalic acid.

Louis Leconte, of Leicester-square, gentleman, for improvements in constructing fire-proof buildings.

William Palmer, of Feltwell, Norfolk, blacksmith, for certain improvements in ploughs.

James Jamieson Cordes and Edward Locke, of Newport, in the county of Monmouth, for a new rotary engine.

Francis Todd, of Pendennis Castle, Falmouth, gentleman, for improvements in obtaining silver from ores and other matters containing it.

Alexander Angus Croll, superintendent of the Chartered Gas Company's Works, Brick-lane, for certain improvements in the manufacture of gas, for the purposes of illumination, and for the preparation or manufacture of materials to be used in the purification of gas, for the purposes of illumination.

Robert Cook, of Johnston, in Renfrewshire, engineer and millwright, for the making of bricks by machinery, to be wrought either by steam or other power.

Thomas Richardson, of the town and county of the town of Newcastle-upon-Tyne, chemist, for a preparation of sulphate of lead, applicable to some of the purposes to which carbonate of lead is now applied.

Edward Thomas Bainbridge, of Park-place, St. James's, Middlesex, esq., for improvements in obtaining power.

John Juckes, of Shropshire, gentleman, improvements in furnaces, or fireplaces, for the better consuming of fuel.

Alexander Bow, of Crown-street, Hutchesontown, Glasgow, Lanark, Scotland, builder, for improvements in furnaces and flues, by the introduction and application of hot air thereto, and for the consumption of smoke and economizing fuel.

John Inkson, for improvements in apparatus for consuming gas for the purposes of light.

James Hodgson, of Liverpool, engineer, for a new mode of combining and applying machinery for the purpose of cutting and planing wood, so as to produce plane or moulded surfaces.

Thomas John Davis, of 5, Bloomsbury-square, esquire, for certain improvements in the form and combination of blocks of such materials as are now used or hereafter may be used in building or for paving public and private roads and court-yards, or public and private causeways and subways, or any other purposes to which the said form and combination of blocks may be applied.

John Peter Isaic Poncy, of Well-street, Oxford-street, watch-dealer, for improvements in clocks and chronometers, being a communication.

Pierre Armand Le Comte de Fontainemorean, of Skinner's-place, Size-lane, gentleman, for certain improvements in covering and coating metals and alloys of metals.

Joseph Lockett, of Manchester, engineer, for certain improvements in manufacturing, preparing and engraving cylinders, rollers, or other surfaces for printing or embossing calicoes or other fabrics.

Thomas Robinson Williams, of Cheapside, gentleman, for certain improvements in measuring the velocities with which ships or other vessels or bodies move in fluids, and also for ascertaining the velocities of fluids in motion.

Benjamin Hick, jun., of Bolton-le-Moors, Lancaster, engineer, for certain improvements in regulators or governors, in regulating or adjusting the speed or rotary motion of steam-engines, water-wheels, and other machinery.

Henry Waterton, of Fulmer-place, Gerard's-cross, Buckingham, esq., for improvements in the manufacture of sal-ammoniac.

Renewal of patent to John George Bodmer, of Manchester, Lancaster, engineer, for the term of seven years, from the 18th of August 1824, granted to him for certain improvements in the machinery for cleaning, carding, drawing, roving, and spinning of cotton and wool.

Richard Beard, of Egremont-place, New Road, Middlesex, gentleman, for improvements in apparatus for obtaining likenesses and representations of nature, and of drawings, and other objects.

Thomas Oram, of Lewisham, Kent, gentleman, for improvements in the manufacture of fuel.

Robert Hampson, of Mayfield Print Works, Manchester, Lancaster, calico printer, for an improved method of block printing on woven fabrics of cotton, linen, silk, or woollen, or of any two or more of them intermixed, with improved machinery, apparatus and implements for that purpose.

Charles Delbruck, of Oxford-street, gentleman, for improvements in apparatus for applying combustible gas to the purposes of heat, being a communication.

Robert Goodacre, of Allesthorpe, Leicester, for an apparatus for raising heavy loads in carts, or other receptacles containing the said loads, when it is required that the unloading should take place at any considerable elevation above the ground.

Henry Fourdrinier and Edward Newman Fourdrinier, of Hanley, Stafford, papermakers, for certain improvements in steam-engines for actuating machinery, and in apparatus for propelling ships and other vessels on water.

William Mill, of Blackfriar's road, enginee, for certain improvements in propellers, and in steam-engines, and in the method of ascertaining and measuring steam power, parts of which improvements are applicable to other useful purposes.

Charles Handford, of High Holborn, tea dealer, for an improved edible vegetable preparation called "Eupooi," and the mode of manufacturing the same.

Thomas Pain, jun., of Upper Seymour-street, Euston-square, student at law, for a plan by means of which carriages may be propelled by atmospheric pressure only, without the assistance of any other power, being an improvement upon the Atmospheric Railway now in use.

Henry Pinkus, of Panton-square, Coventry-street, esquire, for improvements in the method of applying motive power to the impelling of machinery applicable amongst other things to impelling carriages on railways on common roads or ways and through fields, and vessels afloat, and in the methods of constructing the roads or ways on which carriages may be impelled or propelled.

Pierre Erard, of Great Marlborough-street, for improvements in pianofortes.

Frederick Payne Mackelcan, of Birmingham, for certain improved thrashing machinery, a portion of which may be used as a means of transmitting power to other machinery.

William Henry Fox Talbot, of Lacock Abbey, Wilts, esq., for improvements in producing or obtaining motive power.

William Horsfall, of Manchester, card maker, for an improvement or improvements in cards for carding cotton, wool, silk, flax, and other fibrous substances.

James Stirling, of Dundee, engineer, and Robert Stirling, of Galsten, Ayrshire, Doctor in Divinity, for certain improvements in air engines.

James Fitt, sen., of Wilmer Gardens, Hoxton Old Town, manufacturer, for a novel construction of machinery for communicating mechanical power.

Thomas Spencer, of Liverpool, carver and gilder, and John Wilson, of the same place, lecturer on chemistry, for certain improvements in the process of engraving on metals by means of voltaic electricity.

Thomas Wood, the younger, of Wandsworth Road, Clapham, gentleman, for improvements in paving streets, roads, bridges, squares, paths, and such like ways.

Charles Payne, of South Lambeth, Surrey, gentleman, for improvements in salting animal matters.

Henry George Francis, earl of Ducie; Richard Clyburn, of Uley, engineer; and Edward Budding, of Densley, engineer, for certain improvements in machinery for cutting vegetable and other substances.

Henry Pinkus, of Panton-square, esq., for an improved method of combining and applying materials applicable to formation or construction of roads or ways.

Thomas Clark, of Wolverhampton, ironfounder, for certain improvements in the construction of locks, latches, and such like fastenings applicable for securing doors, gates, windows, shutters, and such like purposes, being a communication.

Gabriel Riddle, of Paternoster-row, stationer, and Thomas Piper, of Bishopsgate-street, builder, for improvements on wheels for carriages, for the term of seven years, being an extension of the original letters patent granted to Theodore Jones, of Coleman-street, accountant.

George Dacres Paterson, of Truro, esq., for improvements in curvilinear turning; that is to say, a rest adapted for cutting out wooden bowls, and a self-acting slide rest for other kinds of curvilinear turning.

John Clarke, of Islington, Lancaster, plumber and glazier, for an hydraulic double-action force and lift pump. (A communication.)

Charles Joseph Hullmandel, of Great Marlborough-street, lithographic printer, for a new effect of light and shadow imitating a brush or stump drawing, or both combined, produced on paper, being an impression from a plate or stone prepared in a particular manner for that purpose, as also the mode of preparing the said plate or stone for that object.

Alexander Horatio Simpson, of New Palace-yard, Westminster, gent., for a machine or apparatus to be used on a moveable observatory or telegraph, and as a moveable platform in erecting, repairing, painting, or cleaning the interior and exterior of buildings, and also as a fire-escape. (A communication.)

Charles Dod, of Buckingham-street, Adelphi, gent., for certain methods or processes for the manufacture of plate glass, and also of substances in imitation of marbled stones, agates, and other minerals, of all forms and dimensions, applicable to objects both of use and ornament. (A communication.)

John Haughton, of Liverpool, clerk, M.A. for improvement in the means employed for preventing railway accidents resulting from one train overtaking another.

Luke Hebert, of Birmingham, Warwick, solicitor of patents, for improvements in the manufacture of coffered spades and shovels, soughing and grafting tools. (A communication.)

Joseph Bennett, of Turnlee, near Glossop, Derby, cotton spinner, for certain improvements in machinery for cut-

ting rags, ropes, waste, hay, straw, or other soft or fibrous substances, usually subject to the operation of cutting or chopping, part of which improvements are applicable to the tearing, pulling in pieces, or opening of rags, ropes, or other tough materials.

Benjamin Winkles, of Northampton-street, Islington, Middlesex, steel and copper-plate manufacturer, for certain improvements in paddle and water wheels.

Peter Bradshaw, of Dean, near Kimbolton, Bedford, gentleman, for improvements in dibbling and drilling corn, seeds, plants, roots, and manure.

J. Johnston, for a new method (by means of machinery) of ascertaining the velocity of, or the space passed through by ships, vessels, carriages and other means of locomotion, part of which is also applicable to the measurement of time.

C. Wheatstone and W. F. Cook, for improvements in giving signals, and sounding alarms at distant places by means of electric currents.

John Condie, manager of the Blair Iron Works, Ayr, Scotland, for improvements in applying springs to locomotive railway and other carriages.

George Holworthy Palmer, of Surrey-square, civil engineer, and Charles Perkins, of Mark-lane, merchant, for improved constructions of pistons and valves for retaining and discharging liquids, gases, and steam.

James Robinson, of the Old Jewry, manufacturer of machinery, for a sugar-cane mill of a new construction, and certain improvements applicable to sugar-cane mills generally, and certain improvements in apparatus for making sugar.

Alexander Horatio Simpson, of New Palace-yard, Westminster, gentleman, for an improved machine or apparatus for working pumps. (A communication.)

Charles Winterton Baylis, of Birmingham, accounting-house clerk, for an improved metallic pen, to be called the Patent Flexion Pen, and improved penholder.

John Steward, of Wolverhampton, esq., for an improvement in the construction of piano fortes, harpsichords, and other similar stringed musical instruments.

James Molyneux, of Preston, for an improved mode of dressing flax and tow.

Hugh Graham, of Bridport-place, Hoxton, artizan, for a new mode of preparing designs, and dyeing the materials to be used in the weaving and manufacture of Kidderminster carpets, and for producing patterns thereon, in a manner not before used or applied in the process of weaving and manufacturing such carpets.

Andrew Pruss D'Olszowski, of Ashley-crescent, gent., for a new and improved level for ascertaining the horizon, and the several degrees of inclination. (A communication.)

William Tudor Madley, of Wellington-street North, mechanical draftsman, for certain improvements in producing surfaces to be used for printing, embossing, or impressing.

Abraham Alexander Lindo, of Finsbury-circus, gent., for improvements to be applied to railways and carriages thereon, to prevent accidents, and to lessen the injurious effects of accidents to passengers, goods, and railway trains,

David Walther, of Angel-court, Throgmorton-street. merchant, for certain improvements in the methods of purifying vegetable and animal oils, fats, and tallows, in order to render those substances more suitable to soap-making, or for burning in lamps, or for other useful purposes, part of which improvements are also applicable to the purifying of the mineral oil or spirit, commonly called petrolium or naphtha, or coal oil, or spirit of coal tar.

POETRY.

THE CROWNED AND WEDDED QUEEN.

When last before her people's face her own fair face she bent,
Within the meek projection of that shade she was content
T' erase the child-smile from her lips, which seemed as if it might
Be still kept holy from the world to childhood still in sight—
T' erase it with a solemn vow,—a kingly vow,...to rule—
A priestly vow,...to rule by grace of God the pitiful,—
A very god-like vow...to rule in right and righteousness,
And with the law and for the land!—so God the vower bless!

The minster was alight that day, but not with fire, I ween,
And long-drawn glitterings swept adown that mighty aisled scene:
The priests stood stolëd in their pomp, the sworded chiefs in theirs,
And so, the collared knights,—and so, the civil ministers,—
And so, the waiting lords and dames—and little pages best
At holding trains—and legates so, from countries east and west—
So, alien princes, native peers, and high-born ladies bright,
Along whose brows the Queen's new crowned, flashed coronets to light!—
And so, the people at the gates, with priestly hands on high,
Which bring the first anointing to all legal majesty!
And so the Dead...who lay in rows beneath the minster floor,
There, verily an awful state maintaining evermore—
The statesman, with no Burleigh nod, whate'er court-tricks may be—
The courtier, who, for no fair Queen, will rise up to his knee—
The court-dame, who, for no court-tire, will leave her shroud behind—
The laureate, who no courtlier rhymes than "dust to dust" can find—
The Kings and Queens who having ta'en that vow and worn that crown,
Descended unto lower thrones and darker, deep adown...
"Dieu et mon Droit"—what is't to them?—what meaning can it have?—
The King of kings, the dust of dust—God's judgment and the grave!
And when betwixt the quick and dead the young fair Queen had vowed,
The living shouted "May she live! Victoria, live," aloud—
And as those loyal shouts went up, true spirits prayed between,
"The blessings happy monarchs have, be thine, O crownëd Queen!"

But now before her people's face she bended her's anew,
And calls them, while she vows, to be her witness thereunto,
She vowed to rule, and in that oath, her childhood put away—
She doth maintain her womanhood, in vowing love to-day.
O, lovely lady!—let her vow!—such lips become such vows,
And fairer goeth bridal wreath than crown with vernal brows!
O, lovely lady!—let her vow!—yea, let her vow to love!—
And though she be no less a Queen—with purples hung above,
The pageant of a court behind, the royal kin around,
And woven gold to catch her looks turn maidenly to ground,—
Yet may her bride-veil hide from her a little of that state,
While loving hopes, for retinues, about her sweetness wait!—
She vows to love, who vowed to rule—the chosen at her side—
Let none say "God preserve the Queen!"—but rather, "Bless the Bride!"—
None blow the trump, none bend the knee, none violate the dream
Wherein no monarch, but a wife, she to herself may seem!
Or if she say, "Preserve the Queen!"...oh, breathe it inward low:
She is a *woman*, and *beloved!*—and 'tis enough but so!—
Count it enough, thou noble Prince, who tak'st her by the hand,
And claimest for thy lady-love, our Lady of the land!—
And since, Prince Albert, men have called thy spirit high and rare,
And true to truth and brave for truth, as some at Augsburg were,
We charge thee by thy lofty thoughts, and by thy poet-mind,
Which not by glory and degree takes measure of mankind,
Esteem that wedded hand less dear for sceptre than for king,
And hold her uncrown'd womanhood to be the royal thing!

And now, upon our Queen's last vow, what blessings shall we pray?
None straitened to a shallow crown will suit our lips to-day.
Behold, they must be free as love—they must be broad as free—
E'en to the borders of heav'n's light and earth's humanity!
"Long live she!"—send up loyal shouts—and true hearts pray between,
"The blessings happy PEASANTS have, be thine, O crownëd Queen!"

ELIZABETH B. BARRETT.

CARYATIDES.

BY ROBERT BROWNING.

"*From Sordello.*"

But quick
To the main wonder now. A vault, see; thick
Black shade about the ceiling, through fine slits
Across the buttress suffer light by fits
Upon a marvel in the midst: nay, stoop—
A dullish grey-streaked cumbrous font, a group

Round it, each side of it, where'er one sees,
Upholds it—shrinking Caryatides
Of just-tinged marble like Eve's lillied flesh
Beneath her Maker's finger when the fresh
First pulse of life shot brightening the snow:
The font's edge burdens every shoulder, so
They muse upon the ground, eyelids half closed,
Some, with meek arms behind their backs disposed,
Some, crossed above their bosoms, some, to veil
Their eyes, some, propping chin and cheek so pale,
Some, hanging slack an utter helpless length
Dead as a buried vestal whose whole strength
Goes when the grate above shuts heavily;
So dwell these noiseless girls, patient to see,
Like priestesses because of sin impure
Penanced for ever, who resigned endure,
Having that once drunk sweetness to the dregs;
And every eve Sordello's visit begs
Pardon for them: constant as eve he came
To sit beside each in her turn, the same
As one of them, a certain space: and awe
Made a great indistinctness till he saw
Sunset slant cheerful through the buttress chinks,
Gold seven times globed; surely our maiden shrinks
And a smile stirs her as if one faint grain
Her load were lightened, one shade less the stain
Obscured her forehead, yet one more bead slipt
From off the rosary whereby the crypt
Keeps count of the contritions of its charge?
Then with a step more light, a heart more large,
He may depart, leave her and every one
To linger out the penance in mute stone.

THE HAPPY VALLEY.

BY THOMAS MILLER.

From the "Friendship's Offering."

It was a valley filled with sweetest sounds,
A languid music haunted everywhere,—
Like those with which a summer-eve abounds,
From rustling corn, and song-birds calling clear,
Down sloping-uplands, which some wood surrounds,
With tinkling rills just heard, but not too near;
Or lowing cattle on the distant plain,
And swing of far-off bells, now caught, then lost again.

It seemed like Eden's angel-peopled vale,
So bright the sky, so soft the streams did flow;
Such tones came riding on the musk-winged gale,
The very air seemed sleepily to blow,
And choicest flowers enamelled every dale,
Flushed with the richest sunlight's rosy glow:
It was a valley drowsy with delight,
Such fragrance floated round, such beauty dimmed the sight.

The golden-belted bees hummed in the air,
The tall silk grasses bent and waved along;
The trees slept in the steeping sunbeam's glare,
The dreamy river chimed its undersong.
And took its own free course without a care:
Amid the boughs did lute-tongued songsters throng,
Until the valley throbbed beneath their lays,
And echo echo chased, through many a leafy maze.

And shapes were there, like spirits of the flowers,
Sent down to see the Summer-beauties dress,
And feed their fragrant mouths with silver showers;
Their eyes peeped out from many a green recess,
And their fair forms made light the thick-set bowers;
The very flowers seemed eager to caress
Such living sisters, and the boughs long-leaved,
Clustered to catch the sighs their pearl-flushed bosoms heaved.

One through her long loose hair was backward peeping,
Or throwing, with raised arm, the locks aside;
Another high a pile of flowers was heaping,
Or looking love askance, and when descried,
Her coy glance on the bedded greensward keeping;
She pulled the flowers to pieces, as she sighed,—
Then blushed like timid day-break when the dawn
Looks crimson on the night, and then again's withdrawn.

One, with her warm and milk-white arms outspread,
On tip-toe tripped along a sun-lit glade;
Half turned the matchless sculpture of her head,
And half shook down her silken circling braid;
Her back-blown scarf an arched rainbow made,
She seemed to float on air so light she sped;
Skimming the wavy flowers, as she passed by,
With fair and printless feet, like clouds along the sky.

One sat alone within a shady nook,
With wild-wood songs the lazy hours beguiling;
Or looking at her shadow in the brook,
Trying to frown, then at the effort smiling—

Her laughing eyes mocked every serious look ;
'Twas as if Love stood at himself reviling:
She threw in flowers and watched them float away,
Then at her beauty looked, then sang a sweeter lay.

Others on beds of roses lay reclined,
The regal flowers athwart their full lips thrown,
And in one fragrance both their sweets combined,
As if they on the self-same stem had grown,
So close were rose and lip together twined—
A double flower that from one bud had blown,
Till none could tell, so closely were they blended,
Where swelled the curving-lip, or where the rose-bloom ended.

One, half-asleep, crushing the twined flowers,
Upon a velvet slope like Dian lay ;
Still as a lark that mid the daisies cowers :
Her looped-up tunic tossed in disarray,
Showed rounded limbs, too fair for earthly bowers ;
They looked like roses on a cloudy day ;
The warm white dulled amid the colder green ;
The flowers too rough a couch that lovely shape to screen.

Some lay like Thetis' nymphs along the shore,
With ocean-pearl combing their golden locks,
And singing to the waves for evermore ;
Sinking like flowers at eve beside the rocks,
If but a sound above the muffled roar
Of the low waves was heard. In little flocks,
Others went trooping through the wooden alleys,
Their kirtles glancing white, like streams in sunny valleys.

They were such forms, as imaged in the night,
Sail in our dreams across the heaven's steep blue ;
When the closed lid sees visions streaming bright,
Too beautiful to meet the naked view ;
Like faces formed in clouds of silver light.
Women they were ! such as the angels knew—
Such as the Mammoth looked on, ere he fled,
Scared by the lovers' wings, that streamed in sunset red.

DEATH AND THE TWO RIVERS.*

BY ELEANORA LOUISA MONTAGU.

From the "Athœneum"

Mortal.

Ennoë! Ennoe!
Oh! once again, lost river of the soul!
Yet once again the earth's dull boundaries lave:
Bid thy chilled current from its fountain roll
Where human hearts lie thirsting for thy wave:
Restore—restore the music of the past,
Whose voice shall sound amid a world unkind
Like sweet bells to the warring wind!—
Give back that green oasis of the mind
Where beautiful and far
A heavenly day-spring lingers to the last,
With Love—the morning star!

Ennoe.

Into Life's broken fountain-bowl
Sweet waters from my urn I roll;
The fast-receding wave to taste
Haste, mortal! Haste.

Mortal.

What forms are these? Pale shadows rise
Like films that steal o'er sorrow's eyes.
Oh! mocking River! from my soul
Pour back thy stream, or crush the bowl;—
For founts that cool while fevers hurn,
Lethe, oh! Lethe, unto thee I turn!
Fairest of the countless host
Of streams whose visioned source is lost,
Thou, from whose dreamless depths we borrow
Oblivion of human sorrow,
Waft back our souls upon thy midnight wave!
Too cold, too corpse-like to our eyes,
The shades of buried joys arise;
Sullied and changed by their long icy sleep,
In vain we call their beauty from the deep.
Oh! Fountain merciful and strong to save!
Where shall the haven of the wretched be,
Oh! where, if not in thee?

* There are two rivers, says Dante, Lethe and Ennoe; the first brings forgetfulness of man's miseries, the second, remembrance of his happiness.

Lethe.

Gently o'er each closing lid
I pour the wave where dreams lie hid.
Ceases the jarring pulse to beat?
Tell me, Mortal! is it sweet?

Mortal.

I nothing see—I nothing feel;
You deaden, but you cannot heal:
The World is blank, and Thought a waste,
And Hope by dull oblivion chased:
There is no life in mortal breath,
No help—no comfort save in thee, oh Death!
Dearer than Lethe, or that Fount which flings
Life o'er the aspects of all perished things,
Beautiful spirit of undying Peace,
The wrecked ones of the heart shall cling to thee!
The worn-out mariners on Life's great sea:
That sea whose storms for ever shall increase,
Till He, whose hand from out the unformed way
Lifted the mountains to the light of day,
Shall hurl them back to their primeval cave,
And earth be one vast grave,
And thou alone, thy seraph wings unfurl'd,
Shall sweep above a desolated world!

THE OLD AGE OF SOPHOCLES.

Πῶς ἔχεις ὦ Σοφόκλεις πρὸς τἀφροδίσια, κ. τ. λ.

PLATO DE REP. LIB. I.

Leaf-tinted through the vines, a ray of green
Is playing from the horizontal sun,
And fast, beneath yon plane-tree's deepening screen,
The fresh cold waters darken as they run;
And there, an old man of majestic mien,
Sitting, with silver hair and eye serene,
Muses on Time and on Eternity—
On the bold hopes, in which his youth begun,
The much accomplished, the more left undone:

Draw near with reverence, for this is he
Who heard the eyeless father's cursings wild
Fall on the hostile twins, who called up thee,
High-souled Electra, and that orphan child
Antigone, as lofty, and more mild:

CONTINUED.

Upon the setting sun he gazed, whose light
An emblem of himself, before him lay,
Poised in mild beauty on the edge of night,
The dreams that dazzled morning with delight,
The splendours of hot noon, had passed away,
And Repose came before the tomb, a sight
Serenely sacred in its calm decay;
For as life faded, underneath the sway
Of an immortal spirit, evermore
Brighter and keener like a kindling star,
Dilating inwardly, the frantic jar
Of struggling lusts, and passions deemed before
Resistless, now became submiss and still,
No more enchaining the distorted will.

CONTINUED.

And men came round him, eager to drink in
That mild paternal wisdom, full of love
And peace, and shadowy grandeur from above,
At twilight, just becoming the first ray
Of the freed spirit's everlasting day.
But one there was, whom shame could not reprove,
Nor holy age abash—nor wisdom win
To put aside the thoughts of earth and sin.
"Tell me," he cried, "can woman's quickening eye
Still thaw thee into transient youth, and move
Thy frozen blood from its thin apathy;
Or is the sense of pleasure dead within?"
Thus spoke he, either of a scornful mind,
Or to all moral beauty, deaf and blind.

CONTINUED.

As if an eagle, whose unfaltering flight
Sweeps through the halls of sunshine, with a range
Wide as the sky, should plunge into a night
Of freezing clouds, before they reached his sight;
Thus, with a sudden sense of painful change,

As into stormy darkness out of light
The hearers passed—heaven-taught by hopes sublime.
The Poet answered, "Thou art yet enthralled
In the foul webs of sense, be wise in time:
The privilege of age, is to be called
Out of life's whitening ashes, to a clime
And region of calm thought, a glorious realm,
Where Truth and Freedom reign, divine exchange
For passions which enslave and overwhelm."

CONCLUDED.

Ay! even then, when health and strength sunk low.
When each temptation to indulge desire
Crumbled away upon life's failing fire,
And earth with all her gifts, arose to go;
Happy, if even then the soul might shew
Some shadow of her origin divine,
And with fresh hopes, and zeal renewed, aspire
To wrestle with her maimed and wearied foe.
Mean though we be, our state through Christ is higher,
A power flows to us from his awful sign,
Which is both spear and shield, wherewith to face
And conquer, though in baleful powers arrayed,
Those unseen kings, to whom man's hapless race
Homage of old inevitable, paid.

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